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HANSARD'S

PARLIAMENTARY

DEBATES:

FORMING A CONTINUATION OF

" THE PARLIAMENTARY HISTORY OF ENGLAND,
FROM THE EARLIEST PERIOD TO THE
YEAR 1803."

New Series;

COMMENCING WITH THE ACCESSION OF GEORGE IV.
AND TERMINATING WITH THE CLOSE OF
HIS REIGN.

VOL. XXV.

COMPRISING THE PERIOD FROM
THE SEVENTH DAY OF JUNE,
TO
THE TWENTY-THIRD DAY OF JULY, 1830.

Fourth, and concluding, Volume of the Seſsion.

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1830.

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⁂ *As the* General Index *to this Work comprises the* First Series, *or the period between* 1803 *and the Death of George III in* 1820, *extending from Volume* 1 *to* 41,—*and also the* Second Series, *embracing that from the Accession of George IV to the close of his Reign in* 1830, *Volume* 1 *to* 25,—*the occurrence of a New Epoch afforded by the Accession of his present Majesty, WILLIAM IV, has rendered it advisable to commence a* Third Series.

☞ *It will be seen that a more ample* Table *of* Contents, *and a more general and complete* Index, *is given with the present Volume than heretofore: and in future the Indexes will be on the Plan now adopted.*

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HANSARD'S
Parliamentary Debates

During the FOURTH SESSION *of the* EIGHTH PARLIAMENT
of the United Kingdom of GREAT BRITAIN *and* IRELAND,
appointed to meet at Westminster the 4th of February,
1830, *in the Eleventh Year of the Reign of His Majesty*
GEORGE THE FOURTH.

[Fourth, and laſt, Volume of the Seſſion.]

HOUSE OF LORDS.

Monday, June 7, 1830.

MINUTES.] Petitions presented. For a Revision of the Penal Code, by the Earl of ESSEX, from the Common Council of the City of London. Against the Sale of Beer Bill, by the Archbishop of YORK, from the Gentry and Clergy of Beverley. Against compelling Protestant Soldiers to attend places of Catholic Worship, by the Earl of ELDON, from the Clergy of the Deaneries of Rochester and Malling. For an inquiry into the King's Bench Prison, by Earl Grey, from J. S. Tighe. For the Abolition of Slavery, by Lord BEXLEY, from the Under Graduates of Oxford:—By the Archbishop of YORK, from Dissenters at Shipley; and from the Inhabitants of North Bierly, of Bradford Thornton-cum-Clayton, of Shepley, and of Kingston-upon-Hull. Complaining of Agricultural Distress, by the Duke of RICHMOND, from owners and occupiers of Land in the Neighbourhood of Grantham, and in the Neighbourhood of Stamford and Folkingham. For a Revision of the Laws regulating Cotton Factories, by the Bishop of CHESTER, from Cotton Spinners in Blackburn, Dukinfield, Newton, and Hyde Chester:—By the Bishop of BATH and WELLS, from the Spinners in Oldham, Congleton, Ashton-under-Lyne, Staley Bridge, and Mossley. In favour of the Parishes Watching and Lighting Bill, by the Marquis of LANSDOWN, from the Inhabitants of Calne. Against the equalization of Stamp Duties, by the same Nobleman, from Killaloe:—By the Earl of GLENGALL, from the Freeholders of Tipperary. For the Repeal of the Stamp Duty on Medicines, by the Earl of CARNARVON, from the Druggists of Manchester.

Witnesses were further Examined as to the East Retford Disfranchisement Bill.

BANKRUPT LAWS.] The Earl of *Malmesbury*, in presenting a Petition from certain Bankers of Devonshire, complaining that they had suffered great pecuniary loss from the construction which had been put on the Bankrupt Laws by the Court of Common Pleas, observed, that these laws were a proof of the haste and imperfection with which the laws were sometimes made. The Bankrupt-law passed in May 1825: it repealed all other laws on the same subject, but did not come itself into operation till the following September. Under these circumstances, the Court of Common Pleas, by a decision in certain cases, had determined, that from May to September there were no Bankrupt-laws whatever. Of that the petitioners complained, and as he thought, with justice, for a more negligent and botching piece of legislation he had never heard of. While he was on his legs, he would make an observation upon the new Insolvent-bill which had been sent up from the Commons. That measure contained a most extraordinary provision: first, it declared that a minor might be imprisoned—next, that he might declare himself bankrupt and execute conveyances, assignments, and warrants of attorney—and thirdly, that if, after remaining in prison six months he did not file his petition for the purpose, any creditor might proceed to make him bankrupt as if he had filed it. That provision entirely altered the law, and he hoped their Lordships would look closely into it before passing the Bill.

The Earl of *Eldon* agreed in all that had fallen from the noble Earl regarding the new Insolvent Debtors' bill. He had never seen a more objectionable measure, overturning all that had been the established law regarding minors. No duty could be more incumbent upon their Lordships than to watch closely the bills that were sent up from the other House. On the subject of the Petition, he must observe, that what the noble Earl had stated of the decision of the Court of Common Pleas, was correct, though on what that decision was founded he did not know. At any rate he thought that the petitioners were entitled to relief, and for that purpose he should propose that the Order of the Day for the committee on the Bankrupt-laws bill should be discharged, in order that it might be fixed for Monday; and in the mean time the case of the petitioners, and others like it, might be taken into consideration.

The Order of the Day was then discharged, and the Committee on the Bankrupt bill was appointed for Monday.

FEES ON THE DEMISE OF THE CROWN.] Earl *Bathurst* requested the noble Earl (Darnley) to postpone the second reading of the Bill for abolishing the Fees of certain offices on the Demise of the Crown, in consequence of the unavoidable absence of his noble friend (the Duke of Wellington).

Earl *Darnley* did not think he could resist the postponement till to-morrow for the reason stated, although the measure pressed at this moment.

The Earl of *Malmesbury* did not oppose the bill, or discuss its merits, but he complained of the period at which it had been brought forward, and he could discover no reason why, if the remedy were required, it had not been thought of during the last eleven years. There was, unhappily, every probability at present that their Lordships' hopes that a certain event, though in itself inevitable at some period, would not now take place, would be disappointed; and as a matter of delicacy and feeling he thought that the bill ought not to be pressed, especially with such peculiar haste. He did not mean at all to be understood as contending that the fees ought to be preserved.

The Marquis of *Lansdown* remarked, that if Parliament and successive governments for the last eleven years had been negligent of their duty in this respect, it afforded no ground for relinquishing the measure now, and for calling the attention of the public to the subject. If it were the intention of Ministers to oppose the principle of the bill, of course it ought to be postponed.

Earl *Darnley* hoped that no want of delicacy would be imputed to him; the bill had been brought from the Commons, and, approving its principle, he had undertaken to pass it through its stages in this House.

The Earl of *Malmesbury* begged not to be understood as charging the noble Earl with the slightest want of delicacy. All he said was, that the time was ill chosen.

Earl *Bathurst* repeated, that his noble friend, from particular causes, was unable to attend, and it therefore seemed to him desirable that the bill should be postponed. An alteration of the present system would not be opposed generally, but an objection was felt to one of the clauses, and therefore it was, that the postponement was requested.

Order of the Day postponed.

GREECE.] The Earl of *Carlisle* wished to put a question to the noble Earl opposite, with regard to the Papers lately laid upon the Table of the House concerning the affairs of Greece. He wished for information with regard to the Line of Boundary which had been at first agreed upon in March 1829, and that which had afterwards been designated as the limit of the new Greek State. In his opinion, the information already furnished to Parliament was defective, and it was his wish to have such Papers laid upon the Table as would supply the deficiency. He wished to know from the noble Secretary of State opposite, whether there was any objection to furnish copies of any correspondence that might have been addressed by the Porte to the Plenipotentiaries of the three Allied Powers, expressing the desire of the Porte for an alteration in the line of boundary settled in the Protocol of March 1829? He found it stated in a note written by Count Chabrol on August 15th, 1828, that the Porte wished the boundaries to be altered, and that was the only mention he could find of the reasons why the boundary was changed. He was not aware that there could be any objection to afford such information as he wished to move for.

The Earl of *Aberdeen* said, he should not object to afford the information required, but would merely state his doubt whether he could furnish the information exactly in the form required by the noble Earl. In point of fact, he doubted whether it existed in such a form. That there was such a desire expressed on the part of the Porte, was undoubtedly true; but he could not at that moment undertake to say, whether it existed in such a form as that he could lay it before the House as a distinct document.

He knew the desire had been expressed, and of course it had been in some way recorded.

The Marquis of *Lansdown* said, that with a view of preventing any unnecessary delay, and of avoiding the obligation of coming forward on another night to ask for further information, he would then ask one or two questions with regard to the extent of the information these papers would contain, for if they did not give what information he expected, he should undoubtedly feel it his duty to ask for more. One of the most important communications was the Protocol of the date of the 2nd of July, 1828; it bore directly on the whole question of the boundary, for it related particularly to the subject of the eligibility of the frontier to be chosen, with respect to the strength of the new State, and with a view to secure its prosperity. With that view, in an early part of the instructions to the Ambassadors, given on the 2nd of July, 1828, their line of duty in this transaction was distinctly pointed out. The instructions said "one of the most important and difficult questions for discussion will be the line of frontier to be proposed for the new State. It will be the duty of your Excellency, and of your colleagues, to collect the sentiments of the Greek government on this subject, to receive their wishes, to weigh their arguments, and to recommend such a decision as may be most consistent with equity and justice." Now he had carefully examined the papers already laid on the Table of the House, and he had not been able to find any communication made to the Government in consequence of these instructions, either as to any communication with the Greek government as to the nature of the boundary they desired, or as to their opinion of what kind of boundary was absolutely necessary for the safety of their new State. He wished to know whether the information required would be found in the papers that were about to be laid on the Table; whether it would be found in the Poros documents; and whether all the communications from our Ambassadors were amongst them? Perhaps the noble Earl would also state, whether, in the papers already laid on the Table, there were any communications relating to the interruptions of the Greek blockades?

The Earl of *Aberdeen* was desirous of furnishing every possible information on this subject. It was not easy to satisfy all parties. While some required additional information, others complained that too many papers had already been furnished; and one noble Baron, in particular, had actually accused them of emptying their trunks on the Table of the House. He had already said, that the only difficulty as to producing these papers was this—that in substance, all the important points they contained were comprised in the Protocols drawn up at London. The Protocol of the 22nd March 1829, comprised all that was material upon the subject of the boundary. He had not the least objection to produce these papers in their more extended form; and when they were produced, the noble Marquis would find that they did embrace the discussions entered into by the plenipotentiaries with the Greek government, upon the question of the line of boundary. Virtually, they were precisely the same as those now on the Table of the House, only that they entered a little more fully into details. The noble Marquis was mistaken in supposing that in the papers now on the Table there was no allusion to this subject; for it was expressly said, that what was there proposed to the Porte was in compliance with the wish of the Plenipotentiaries assembled at Poros. With regard to the blockades, the noble Marquis would find in the papers about to be presented, the orders that had been given; and if the statement of the execution of those orders was desired, he should not object to produce it. The papers would be most voluminous.

The Marquis of *Lansdown* certainly thought it most desirable that the House should be in possession of the whole grounds on which the Porte had acted, of the communications between it and the Greek government, and, above all, of what passed between the Plenipotentiaries.

The Earl of *Aberdeen* should object to produce the whole of the negotiations between these various parties, for they related to a variety of topics, differing materially from those on which the noble Marquis required information. They were very voluminous—they were all in French, and for the purposes of the House they must be translated.

The Marquis of *Londonderry* took that opportunity of referring to the letters which had passed between the noble Earl, the Foreign Secretary, and Prince Leopold. In the first printed letter of the noble Lord, he observes to his Royal Highness—"However these sentiments may accord with the political objects of persons in this country, by whom your Royal Highness may have been advised, I think your Royal Highness cannot fail to perceive, upon reflection, how little such a course could contribute to the real dignity and consistency of your own character." Surely there must have been some previous communications between the noble Earl and Prince Leopold, before the former could have ventured to allude to the political advisers of his Royal Highness. If there had been a little more of the *suaviter in modo* in these communications there would not have been such allusions. He wished to know whether there had been any, and what, correspondence previous to January 31st, as to the alteration of the pre-existing arrangements.

The Earl of *Aberdeen* scarcely knew what answer to make to the noble Marquis's observations. He would, however, answer the question that had been put. There had been no previous correspondence. If the noble Marquis wished to go into a discussion upon the propriety of his conduct, he should be perfectly ready to meet it, provided due notice were given.

The Marquis of *Londonderry* could not help thinking, that if there had been no previous correspondence, the expression referred to was uncalled for, and therefore improper.

The Motion of the Earl of Carlisle, for copies of any communications addressed by the Porte to the Plenipotentiaries, expressing a desire for the reduction of the boundary of the Greek State, as fixed in March 1829, was then agreed to

Lord *Holland* could assure the noble Secretary opposite, that he laboured under a great mistake if he supposed that he (Lord Holland) had blamed the Ministers for giving too much information. On the contrary, he was now about to ask for more. It was true that he had used the expression about emptying the trunks; but that referred to the little value of the documents placed upon the Table, not to the unnecessarily large quantity of them. There were two points on which he wished for information, and on which that now furnished was, in his opinion, most imperfect. The first point related chiefly to the matter treated of in the papers marked C, which referred to the blockade of the Dardanelles, and among the rest, to the raising of the Greek blockades. It appeared, that a letter had been written by Lord Aberdeen upon the 29th of April, 1829, expressly with reference to that subject. In that letter, which the noble Lord directed to the Lords Commissioners of the Admiralty, he stated, that the Greeks could not be allowed to exercise their blockades beyond a certain extent. The French Chargé d'Affaires had complained of this order, had remonstrated upon it, and the French government had employed, as he believed, terms of remonstrance, if not of menace; and a discussion had ensued upon it which ended unfavourably for this Government. An explanation took place at Paris, and after much time had been consumed, some part of the objectionable matter was given up. He wanted to know what had been the conduct of our Government, and what the effect of the remonstrance on the part of France. He thought the noble Earl ought to furnish the House with information upon that subject. The other point on which he wished for information was of great extent, and was more important in its nature—it related to the Isle of Candia. The information furnished with respect to Candia was most imperfect, and not only was it imperfect, but, so far as it went, it was in contradiction—in almost direct opposition—to what had been several times stated in that House. They had heard from the other side of the House many statements relative to the condition of the people of Candia, and to the state of that island; but either those statements were incorrect, or the information furnished by these papers could not be depended on. The noble Duke, not then in his place, had said, that if Candia was at all events to form a part of the new Greek State, the Allies must conquer it from the Turks, who were now in full possession of it. The noble Secretary differed a little from this, for he acknowledged, on the contrary, that it was not in a tranquil state, but was much disturbed; and he attributed the disturbances to the effect of the confederacy among the Greeks. Candia, from the papers on the Table, appeared to have been for some time in a very convulsed state; and it further appeared, that when that gallant Admiral, to whom justice had not yet been done, and who had displayed as much ability as a negociator as he had exhibited gallantry, and spirit, and naval skill as a commander—that when that gallant Admiral had been engaged in negotiations with the Pacha of Egypt, respecting the return of the Greek prisoners, the Pacha had answered, that no captives had been made by his troops since the battle of Navarino, and that of the 1,900 prisoners who had been taken before that time, 1,200 were Candiotes—a fact which spoke strongly in proof of the attempts made by the inhabitants of Candia to free themselves from the Turkish yoke. Candia itself had been blockaded by the Allied and the British naval force, and these blockades had been raised. He wished to see the orders under which these blockades had been instituted, and under which they had been raised. There was one other little question on which he wished to make an observation, although, perhaps, it was but of little importance. One of the objections made by the noble Earl to putting these papers on the Table of the House was, that they must be translated. He wished to ask that noble Earl, whether the same translator was to be employed on these as on the former papers? Their Lordships must know that it had been again and again stated in that House, that his Russian Majesty had agreed to waive his rights as a belligerent in the Mediterranean, and they also knew, that a short time subsequent to his declaration to that effect he had exercised the rights he had agreed to waive. He had looked to the translation of the assurance given by Russia (it was to be found in p. 223 of the papers marked A), and there he observed the assurance, that Russia would not exercise her rights as a belligerent put into this form—"Now, the Emperor declares, that Russia will cease *immediately* to be so," &c. On turning back to the original, he found the French to stand thus—"Or, l'Empereur déclare, que la Russie cessera *momentanément* de l'être." There was a great difference between the two, for the word *momentanément* meant "for a time" not "immediately." To be sure it might be, and perhaps was, a mere inadvertence on the part of the translator, but these little differences in such matters were sometimes of importance.

The Earl of *Aberdeen* said, that in the first place he had no other papers to produce respecting the raising of the Greek blockades. Every thing that had passed between the French government and his Majesty's Government on that subject was already on the Table of the House. The noble Baron had spoken of some considerable difference between the two governments on the subject, but he could assure the noble Baron that he had been misinformed. It was not true that the French government had made a remonstrance couched in the form of a menace—it had at first misapprehended what was done—had applied for an explanation, and on that explanation being given, had expressed its entire acquiescence in the statement made by his Majesty's Government. No orders had been issued to the Admirals to institute the blockades referred to, and he could only therefore say, with reference to that part of the subject, that he had nothing to add in explanation of that transaction. The subject of Candia involved a question of a much more extensive nature. The condition of that island had varied much within the last several years, and the papers required by the noble Baron were such that his wish could only with difficulty be complied with, and the papers themselves were not necessary for the object that the noble Baron had in view. However, what the noble Baron had observed as inconsistent in the statements made in that House, and in the papers laid on the Table, was not at all the case, and the noble Baron would himself perceive that there was no inconsistency if he carried back his observations to the point of time in which the declarations were made. At the commencement of the Greek Revolution there was no doubt that Candia did share in the revolt, and engaged like the other States of Greece in warfare against its Turkish master. That was its condition as early as 1822, or 1823. Afterwards the island was pacified, and remained in the possession of the Turks till a blockade was established there in the beginning of 1828. That blockade had been established by the English Admiral in the discharge of his duty in effecting a certain object. It was a part of his plan of operations to interrupt the communication between the Morea and Egypt, and for that purpose he had instituted the blockade of Candia. The effect of that blockade was, to renew the insurrection, and to place the island in the state in which it was at present. The Greeks were now in possession of the open country, and the Turks held all the strong places in the island. When, therefore, his noble friend had said, that if Candia was at all events to become part of the new Greek State we must conquer it from the Turks, he had said that which was perfectly true, for they possessed the strong places, and without conquering them the possession of the island could not be transferred to the Greeks. He would only add one word with respect to the mistake imputed to the translator. The word certainly ought to have been translated "for the time," instead of "immediately;" but it was true, in fact, that his Imperial Majesty did consent immediately to lay down the character of a belligerent—the words in the protocol were "he does lay down"—"il dépose" in the present tense. The mistake, therefore, was by no means one of material consequence.

Lord *Holland* wanted a copy of the instructions sent to revoke the orders under which the blockade had been established. He wished also to have a copy of the instructions issued by the Lord High Commissioner of the Ionian islands, with a copy of all the correspondence that had passed between Captain Spencer and the Greek Admiral in 1829. He wished particularly to know, whether any instructions revoking the orders before issued to our Admiral, had been sent to him in consequence of the remonstrance of the French government.

The Earl of *Aberdeen* said, most explicitly, that he had nothing further to communicate on the subject. The orders never were revoked, for no orders had been given to establish the blockade. He repeated, that the French government was satisfied with the explanation which his Majesty's Government had given.

Lord *Holland* wished to see the orders issued to the Commissioner upon this subject. He wanted to know whether the blockade was raised by force or not; and if so, what were the orders under which that force was employed?

The Earl of *Aberdeen* could only repeat, that no orders had been given for establishing the blockade; that it had been established by the Admiral himself; and that it was raised when the object for which it was first established had been gained.

Lord *Holland* said, that particularly with respect to the blockade of Candia, he wished to know whether the noble Earl had any objection to produce the orders under which the blockade was established, and those given for raising it?

The Earl of *Aberdeen* answered, that the only order that was issued was for raising, not for establishing, the blockade of Candia. There was, he distinctly repeated, no order given for establishing the blockade of that place. The Admiral, in the exercise of his discretion as naval commander on that station, did institute a temporary blockade; when the necessity for it had ceased, an order was issued to raise it. No other order had been given.

Lord *Holland* trusted, that the noble Earl would not think him guilty of "pertinacity," but what he wished to know was, whether there had not been further correspondence than that now on the Table on the subject of that blockade?

The Earl of *Aberdeen* repeated, that the blockade had not been instituted in consequence of any orders given to the Admiral for that particular purpose. The Admiral was ordered to assist in effecting the evacuation of the Morea by the Egyptian forces. For that purpose he thought it necessary to institute the blockade of Candia, in order that he might interrupt the communication between the Morea and Egypt. When his object was effected, and the Morea had been evacuated by the Egyptian troops, the necessity for the blockade ceased, and he was ordered to raise it.

The Marquis of *Lansdown* then moved, "That an humble Address be presented to his Majesty, praying that he would direct that there be laid before the House copies of all communications addressed by the Porte to the Plenipotentiaries of the Allied Powers, expressing a desire to have the frontiers fixed by the Protocol of March 22nd, 1829, reduced; and also, copies of all Papers relating to the blockades established by the Greeks, and to the raising of those blockades."

The Earl of *Aberdeen* said, he should have no objection to the production of copies of the papers referred to, with such limitations, however, as he should feel it consistent with his duty to exercise with respect to such portions of the papers as related to other matters.

The Marquis of *Londonderry* was surprised that the noble Earl should wish to put any limitation upon the papers he intended to produce, after his promise the other night that he would give any noble Lord these papers to "his heart's content." Now he thought that it was important that all these papers should be produced; it was important the country should know whether we were indebted to the three Allied Powers or to Russia alone for what the Turks had conceded to the Greeks. In his opinion, from the information he had received, we were indebted to the latter, who had interfered in order to establish a State, that, at some future time, must depend on her alone for support, and must, in the course of events, afford scope for the gratification of her ambition. Under these circumstances he should move for copies of such communications from our Ambassadors at Constantinople as bore upon the circumstance that Russia had given up part of the indemnity she had demanded, and the effect which giving that up had upon the concessions made by Turkey to the Greeks.

The Earl of *Aberdeen* observed, that it was a little too much to say that he had promised all these papers, when he had distinctly reserved to himself the right of withholding some of them if he should think his duty called on him to do so. Some of these papers were, in fact, on subjects of an insulated nature, and consisted of various detached negotiations on other points. The information to which the noble Marquis had referred was perfectly correct. There was a negotiation between Russia and Turkey on the subject of the remission of a portion of the sum claimed by Russia as an indemnity: and it was true, that the Emperor of Russia had signified to the Porte that the amount of the indemnity would be increased one million of ducats, if the assent of the Porte to certain propositions then made to it were not promptly given. He saw no reason to object to the conduct of the Emperor on that account—it was a proceeding highly honourable to the wisdom and generosity of his Imperial Majesty. He was indeed glad that the Emperor of Russia had had such an argument in his hands, and we ought to be rejoiced that he had employed it in such a manner.

Lord *Holland* did not think that the subject now referred to was one of an insulated and detached nature. From the statement of the noble Earl himself it was evident, that Russia alone had, either by a bribe or by extortion, obtained that for which the noble Earl wished to take credit to the joint efforts of the three Allied Powers. It was in fact quite impossible even for the noble Earl himself to look at what had been done—and especially to read the Treaty of Adrianople—and then to deny that Russia had, first by her arms, and afterwards by her money, done that which the three Allied Powers had not been jointly able to accomplish, but the merits of which they were very willing to claim.

The Earl of *Aberdeen* answered, that the noble Baron was much mistaken if he thought the Treaty of Adrianople had assisted the object of the Allies. It had, in fact, been an obstacle in their way.

The Marquis of *Londonderry* said, that in fact Russia, by striking off from her demand two or three millions of ducats, had accomplished that which France and England had in vain tried to effect. That single transaction was sufficient to show the immense power which Russia now possessed. Turkey, too, had found out that her avowed enemy would behave better to her than her professed friends—France and England; and so she gave to Russia what she refused to them. The noble Earl ought to have granted all these papers at once, and then he might have escaped these remarks, but by attempting to withhold the information he had brought these observations on himself. He should not press the Motion, as he hoped the other papers might furnish the information he required.

The Earl of *Eldon* was of opinion that England would have reason to regret the Treaty of the 6th of July. Turkey had in consequence of it been deserted by her old allies and placed in the power of Russia.

The Motion of the Marquis of Lansdown agreed to.

HOUSE OF COMMONS,

Monday, June 7.

Minutes.] Returns ordered. On the Motion of Mr. F. Buxton, all Reports made to the Government relating to the Condition of the Hottentots:—Also, Copies of any Correspondence between his Majesty's Government and the Colonial Authorities, relative to the state of Gaols in the West Indies, and in the British Colonies in South America:—On the Motion of Sir G. Murray, Copies of the Answers of the Governors of Upper and Lower Canada to the Despatch of the Secretary of State for the Colonies, dated Sept. 29, 1828.

Mr. F. Lewis brought in a Bill to Amend and Consolidate the Acts relative to the office of Treasurer of the Navy. Sir G. Murray brought in a Bill to Amend the Law relative to the Transportation of Offenders. Mr. Doherty brought in a Bill to continue the Acts for the Relief of the Insolvent Debtors; and a Bill to Explain and Amend the Law relative to the Payment of Prosecutors and Witnesses (Ireland).

Petitions presented. For the Abolition of Negro Slavery, by Lord Milton, from Bradford, Horton and North Brierly; from Dissenters at Horley, West Melton, Shipley, Wilsden, Allerton, Bowling, and Clackheaton. For holding Assizes at Wakefield, by Mr. Marshall, from Stansfield:—By Lord Milton, from Gunthwaste, Ingbirchworth, Peniston, and Langset. Against the Duties on Foreign Timber, by Sir M. W. Ridley, from a Shipbuilder at Newcastle-upon-Tyne. Against Stamp Duties, by Mr. Astell, from the Druggists of Bridgewater:—By Mr. W. Dundas, from the Principal of the Edinburgh College:—By Mr. O'Connell, from Ballycallan and Killaoe:—By Mr. M. Fitzgerald, from Kerry. For a Revision of the Laws relating to Tolls and Turnpikes in Ireland, byMr. Hume, from Thomas Flanagan; and from the Landowners of Dundalk. Against the Sale of Beer Bill, by Mr. Calcraft, from the Retail Brewers of London:—By Mr. Bell, from the Publicans of Alnwick. Against the Northern Road Bill, by Colonel Chaplin, from the Mortgagees of the Stamford Trusts. In favour of this Bill, by Lord Morpeth, from the Convention of Royal Burghs, Scotland. Against the Punishment of Death for Forgery, by Mr. Alderman Wood, from G. E. Gregory:—By the Sheriffs of London, from the Lord Mayor and Common Council of the City of London:—By Mr. Lennard, from Croydon:—By Mr. F. Buxton, from Lowestoffe, Halesworth, and Hadleigh:—By Mr. Warburton, from Bankers residing in London:—By Lord J. Russell, from Leighton Buzzard. For the repeal of the Duties on Candles, by Mr. Hume, from the Candle-makers of Dundee.

Mad-Dogs.] Mr. *Hume*, in presenting a Petition from certain Inhabitant Householders of the parish of St. Mary-le-bone, expressed regret at not seeing the Chancellor of the Exchequer in his place. The Petition complained of the number of useless dogs that were about the streets, and urged upon the consideration of the House the necessity there was that precautions should be taken to prevent the mischiefs which those animals were likely to occasion. The number of persons now permitted to keep dogs free of tax amounted to three-fold the number who might have done so before the repeal of the tax on small houses, as those not assessed to the house duty were allowed to keep a dog duty free. It was doubted whether Magistrates had the power which they ought to have of directing the destruction of dogs, and one had been prevented from doing so by the threat of an action.

Mr. Alderman *Thompson* said, a short bill ought to be introduced for the purpose of remedying the evil complained of.

Mr. *Hobhouse* would support a measure of that sort.

Sir *M. W. Ridley* thought the destruction might prove exceedingly vexatious. A tax might be better.

To be printed.

IRISH ABSENTEES.] Mr. Henry Grattan moved for a Return of all Irish Absentees, and the amount of their Property.

Sir *M. W. Ridley* thought the difficulties which stood in the way of such a Return being made were insurmountable, but he would not oppose the Motion.

Mr. *Hume* did not think that absenteeism ought to be prohibited by the Legislature. Was a man to be made a prisoner in a place merely because he had property in it? He would act up to the old saying, "those who did not like the country let them leave it." If there were a property-tax, he would levy that on the Absentee's property, as well as the property of others, but he would not levy such a tax exclusively on their property. He would punish no man for going out of the country, and he would bribe no man to stay in it.

Mr. *O'Connell* said, that if the hon. Member near him knew the state of Ireland fully, he would see that absenteeism was an evil of the highest magnitude. It was a curse to Ireland to draw four millions sterling a year out of it without any equivalent, and by persons who contributed nothing to the taxes, nothing to the poor but increased pauperism, while they begot in the Custom House returns a great show of prosperity, in consequence of the large exports that went abroad to pay their Revenue. The absence of the landed proprietors was, in his opinion, the curse of Ireland.

Mr. *Warburton* differed from the hon. member for Clare: and he did not see how such a Return could be made.

Mr. *M. Fitzgerald* wished to know from what office the hon. Member expected those Returns? If his object was to raise a question on the subject, he thought a better mode might be resorted to than merely a Motion for Papers.

Mr. Grattan withdrew his Motion.

BORRIS-O'-KANE TRIALS.] In answer to a question from Mr. Doherty, Mr. *O'Connell* stated, that he had abandoned the intention of presenting any Petition relative to the Borris-o'-Kane Trials.

ALTERATIONS IN THE CURRENCY.] Mr. *Edward Davenport*, in presenting to the House the Petition of Mr. Charles Andrew Thomson said, that the petitioner was a gentleman who was once in very affluent circumstances, but he had been, as he averred, ruined by the operation of several Acts of Parliament. The Petitioner stated, that his father, an eminent merchant in the City of London, had, by his industry, realized a large fortune, which he invested in the funds, purchasing 300,000*l.* consols — that this sum stood in the name of his father in the year 1791—that it had been purchased at 92, but owing to the changes wrought in the Currency, the funds fell as low as 63, when the petitioner's father, fearing further losses, thought it advisable to sell out. The petitioner stated, that during the period alluded to, he and his father experienced a loss of one-third of their capital, by the falling of the funds from 92 to 63, and at the same time the integral value of the money, of which the residue was composed, was reduced in the ratio of from 20*s.* to 10*s.* in the pound. The petitioner and his father, in the year 1810, finding that their 300,000*l.* consols, which had cost them about 265,000*l.* sterling, in the ancient coin of the realm, were reduced in selling-price to 180,000*l.*, exposing them to a loss of 85,000*l.*; finding, also, that their 180,000*l.* of remaining money, which their consols would still produce, was so reduced in value, as, in reality, to be worth only one-half of its nominal amount, or only about 90,000*l.*, instead of 180,000*l.*; and finding their property thus melting away, they became seriously alarmed, and determined to invest the remainder of their capital in the purchase of land. In the year 1811, the petitioner and his father purchased the estate of Northaw, in Hertfordshire, at the price of 62,000*l.*, which they paid in ready money. They then expended 10,000*l.* in building houses and cottages upon the estate, and in bringing 200 acres of waste land into cultivation. In the same year they purchased several other estates, to the amount of 33,000*l.*, for which they also paid ready money. The petitioner further stated, that in the year 1811 he purchased the estate of Pontrylas, in Hertfordshire, of Dr. Trenchard, for which he paid 60,000*l.* The title of the estate being considered not good, he brought an action against Dr. Trenchard, for the recovery of the deposit money; but an order of the Court of Chancery obliged him to complete his contract. In consequence of the altered state of the Currency, he was obliged to give a mortgage on his Northaw estate, to make good his obligations arising from the purchase of the other, and Dr. Trenchard was then suing the creditors of the petitioner to obtain both the estates of Northaw and Pontrylass. The petitioner being thus stripped of his whole property by the law which raised the value of the Currency in which his obligations were contracted, without reducing in a corresponding degree his obligations, had been reduced to bankruptcy and ruin. His father, the petitioner stated, in consequence of those unmerited sufferings, died of a broken heart, and left him with seven children of his own, and seventeen brothers and sisters, looking up to him for support. A case of more flagrant injustice, arising from the effects of Acts of Parliament had never been brought before the House. By the effects of those Acts, property acquired by many years' honest industry, had been transferred to others in a most unwarrantable and unjust manner. The petitioner prayed that the House would appoint a committee to inquire into the facts stated in his Petition, and to afford such redress as might appear just and right. There were thousands in the same condition as the petitioner, whose misery had been brought about by the same cause; and it was but just that that power which had been the means of their ruin, should endeavour to devise some remedy. It was not his intention to do more than move that the Petition do lie on the Table.

Ordered accordingly.

DUTY ON SOAP AND CANDLES.] Mr. *Sykes* begged leave to call the attention of the House to a Petition which he held in his hand from the manufacturers of Tallow Candles, of Aberdeen,—and of Soap, at Leith and Glasgow, respecting the duty on Soap and Candles. The subject was one which he had been anxious to submit to the notice of the House, by a formal Motion, at an early period of the Session, had an opportunity offered; but when he fixed a day for bringing it on, he was prevented doing so by an act of the House which adjourned over that day. It appeared that the duty on the manufacture of soap amounted to 3*d.* per pound, and including the duty on tallow and barilla, the whole duty on the article was at least 120 per-cent of the price. The duty of 1*d.* per pound on candles amounted to about 18 per-cent. That both these articles were necessaries of life, and that a heavy tax upon them fell chiefly upon that class of persons who were least able to bear it would not be denied. He was not insensible to the relief afforded by the remission of the tax on Beer; but, without undervaluing the repeal of that tax, full as great relief, if not greater, would, he thought, have been afforded by the repeal of the duty on soap and candles. Besides, the Chancellor of the Exchequer would have avoided a battle, not yet determined, with every brewer and victualler in the kingdom. There were several *criteria* by which the fitness of a tax might be judged. It should not be levied on articles of necessary consumption —it should not fall on the industry and labour of the poor, nor interfere with their comforts. If, however, the House were to judge of the duty on soap and candles by any of these tests, it must appear most unjust and impolitic. They were taxes on articles of necessary consumption; they checked the industry, and diminished the comforts of the labouring poor, and prevented that cleanliness which was essential to health. It was no defence of these duties to say that they were levied upon the manufacturers of these articles, for they were repaid these taxes, which must necessarily fall on the consumers. At the same time, the tax was a source of great annoyance to the manufacturer. Another criterion by which the impolicy of the tax might be decided was, it yielded little revenue. The duties on the articles used for soap, amounted to 100 per-cent, which encouraged an evasion of the duty; and this was more particularly the case with respect to candles, which might be easily made in a private room, or any other small place where detection could be easily avoided; it was different with respect to soap, the manufacture of which required large premises, and could be scarcely carried on without detection. The facilities with which candles might be made, gave encouragement to the evasion of the duty; and an illicit trade in the article was carried on to a great extent. In Ireland, there was no duty on candles, and he did not believe that any Excise duty could be well collected in the one country, on an article of general consumption, when that article was duty free in the other. It was impossible to expect that an article which paid a duty of 100 per-cent in one part of the kingdom, and was wholly exempt from duty in the other, should not give rise to an illicit trade to a considerable extent. The persons engaged in the manufacture of candles complained, and with great justice, of the different and arbitrary manner in which the duty was collected: thus in London and Brentford the duties were required to be paid down at once, but in a district as near town as Deptford, and other parts of the country, a credit was given of two months; in some places the duty was paid in cash, in others it was paid in private Bills of Exchange; an advantage was thus given to one person in trade over the other, which was not fair. Some regulation on this subject ought to be made equally applicable to the whole trade. Another point which he wished to mention, was the drawback allowed on the exportation of soap. In some instances the manufacturer gave his bills at two or three months for the duty; he then entered the article for exportation, and immediately received the drawback in cash; so that, in fact, he received the drawback two months before he paid any duty at all. That was a practice which ought not to be allowed, for it was a direct fraud on the Revenue. In order to show the impolicy of different Excise laws in England and Ireland, he would mention that some time ago, when Glass in Ireland was free of Excise duty, the smuggling of that article to this country took place to an immense extent. When the Excise laws were equalized in the two countries, the result was a total cessation of the smuggling. He had no doubt that the same thing would happen if the laws were equalized as to soap and candles. The objection to the tax on the score of its being vexatious, particularly that on candles, was equally strong; notice must be given of the hour the utensils were to be unlocked, the weight of candles to be made, the number of rods, the number of candles on each rod, with many other particulars, the breach of any of which subjected the manufacturer to the severest penalties. Such was the case of Mr. Hale, a most worthy and respectable man, who was thrown into the Exchequer, not for any fraud, but because he had broken through some trivial rules; and this, not for his own advantage or convenience, but to save trouble to the Excise officers. He would state to the House what were the duties on soap between the years 1826 and 1829 inclusive. In 1826, they amounted to 1,253,745*l.*; in 1827, to 1,375,844*l.*; in 1828, to 1,385,907*l.*; and in 1829, to 1,357,688*l.* In the last four years, therefore, the duties on the article had been stationary in amount, and in the last year they had decreased 28,000*l.* Could the House be surprised at this when it considered the temptations held out to the illicit trader, and the facilities with which the illicit traffic might be carried on?—The duties on candles for the same period, amounted in 1826, to 475,744*l.*; in 1827, to 475,255*l.*; in 1828, to 496,650*l.*; in 1829, to 472,191*l.*: here too there was a falling-off in the last year. As to the number of licenses for the manufacture of soap and candles, in the three years ending in 1828, there had been a diminution. The number of licenses for making soap was, in 1826, 619; in 1827, 667; and in 1828, 626: being a diminution of 41, in 1828, as compared with the preceding year. The licenses for the manufacture of candles, were in 1826, 3,793; in 1827, 3,694; and in 1828, 3,509; being a diminution of 185 as compared with the preceding year. All these facts proved the decrease of the trade, which must be attributed solely to the taxes imposed on the articles, and the restrictions under which the trade was carried on. Having said thus much of the nature of these taxes, of their pressure upon the poor, and of their oppressive operation on the manufacturer, he wished to state how the evil might be remedied. In the first place, he would take off the whole 472,000*l.* per year candle duty. He would do away with the whole of that at once. He did not mean indeed to submit any proposition on the subject in the present Session; but he should propose that in the next. With respect to the soap duty, he would propose to repeal the half, and he had no doubt that the deficiency might be made up by increased consumption, and putting an end to that illicit traffic by which the dishonest man thrives at the expense of the honest tradesman, to the injury of the revenue and the morals of the country. The reduction of the duty from 28*s.* to 14*s.* would, he believed, have the most beneficial effects. The loss to the revenue by the illicit manufacture of soap and candles amounted to no less a sum, he was warranted in asserting, than 617,312*l.* Taking the annual import of tallow from Russia at 50,000 tons, and 100,000 tons as the produce of home slaughter, there were 150,000 tons of tallow which ought to pay duty, in the shape of the manufactured articles. Not above 92,000 tons, however, paid duty. There were 53,000 tons manufactured into candles, 23,000 tons manufactured into soap, and about 16,000 tons which are used in manufactures. In the whole, only 92,000 tons were accounted for as paying duty, so that there was a difference of 58,000 tons, which he believed were illicitly manufactured, and the duty upon which was annually lost to the revenue. The way he would take to supply any deficiency of revenue would be, to levy an additional tax on tallow when imported, and he would say, that as Russia levied a very considerable export duty on this commodity, it would only be an act of self-defence in us to levy an import duty on it. A duty of 4*l.* or 5*l.* per ton would go a long way to fill up the deficiency occasioned by remitting the duty on the manufactured article. At any rate, the taxes he proposed to reduce pressed with great severity on the poorer classes, and on every species of industry. They affected every man in the country, but the poorest most. The loss to the revenue would be only 700,000*l.*, which the Government might replace from other sources. He would not trespass further on the attention of the House, except to declare that he would next Session, if he had a seat in Parliament, bring forward a substantive motion on the subject. He moved that the Petition be brought up.

The *Chancellor of the Exchequer* did not think that a proper time to enter into a discussion of all the topics which the hon. Member had brought under the notice of the House. Indeed, he thought he should best consult the public interest, and the convenience of the House, if he were to refrain from taking any notice of the hon. Gentleman's remarks; he must, however, express his dissent from many of the hon. Gentleman's propositions; and when the proper time arrived, he should be ready to show that many of his arguments were unfounded, and his calculations inaccurate. It was very easy for any gentleman to take hold of any tax, and inquire into the restrictions which were imposed in order to ensure its collection, and then to make out a very strong case against that particular tax, as vexatious and oppressive. Hon. Members might in that manner go through the whole Excise Laws, and find every Excise Duty vexatious and oppressive; nothing could be easier. Hon. Members did occasionally enter into such statements, and after they had made out their case, they each of them called on him to consent to some pet tax being repealed. He had no doubt that every tax was an evil; and it would be very desirous if taxation could be dispensed with; but the person who stood in the situation in which he unfortunately stood, who had to provide for the discharge of the interest on the National Debt, and for the ordinary expenses of the Government, found it very often to be his duty to resist these applications for the extensive reduction of taxation which, in his opinion, had been at present as much reduced as possible. The hon. Member said if the duty on soap and candles, instead of the duty on beer, had been reduced, the Government would not have been annoyed by all the opposition it had met with on account of the Beer Bill. But if the hon. Member thought other taxes could be reduced, affecting different interests, without opposition, he was much mistaken. If he were to follow the hon. Member's advice and abolish the duty on candles, and impose an additional tax on tallow, granting a drawback to those who used it in manufactures, he should soon find that the linen and woollen manufacturers, whose interests would be affected by such a measure, would get up as vigorous an opposition to a bill to carry the hon. Member's plan into effect, as was now got up against throwing open the trade in beer. If the hon. Member were to try himself, he would find the subject more beset with difficulties than he seemed to apprehend.

Mr. *Cutlar Fergusson* knew that the various duties imposed by the Government had been under consideration in various counties of Scotland, and the people had all come to one resolution—namely, that there was no duty so oppressive and vexatious as the Excise duty on soap and candles. He had presented a Petition on the subject, complaining of the vexatious prosecutions caused by these duties; and he was satisfied, that if all the offences committed against the Excise laws imposing these duties, through ignorance only, were rigorously prosecuted, such an extreme degree of wretchedness and misery would be created as had, perhaps, never been equalled. He knew that if a farmer, or a peasant, made a candle out of the tallow of a sheep that died, he was liable to a penalty. The law allowed a rush to be drawn once through the melted tallow; but if it were drawn twice through, the person who drew it was liable to a penalty of 100*l.*, one-fourth only of which could be remitted. If the persons who were liable to commit this offence—who were sometimes almost compelled to commit it by their wants, and were frequently invited to commit it, by its offering an honest means of supplying themselves, were to be prosecuted, they would be ruined, their property would be sold, and they would be compelled to rot in a gaol, because they could not pay the penalties imposed by the Excise. He acknowledged that the country was much indebted to the Chancellor of the Exchequer for the reduction of taxation he had already made; but he believed that the abolition of the tax on soap and candles would have been tenfold more advantageous to the people than the abolition of the tax on beer. If the hon. Member brought forward any motion on the subject, he should have his decided support, which he knew would be agreeable to his constituents and to all the people of Scotland.

Mr. Alderman *Thompson* expressed his satisfaction at the luminous speech of the hon. Member who had presented the Petition, and thought the subject well deserving of attention. In particular he complained of the partial manner in which the tax was levied. The manufacturers in London and Southwark, in Brentford and Hammersmith, because they were situated in what was called the Home District, had to pay their duties to the Excise every week, while the manufacturers at Deptford, Bromley, and places not further off, paid their duties only at the end of six weeks. This was in his opinion very improper; and the manner of levying these duties ought to be equalized. He knew a manufacturer of the name of Hales, a constituent of his, and a very honest man—a man less likely to defraud the Revenue he did not know—who had suffered very severely from these Excise laws. A servant of Mr. Hales, with the concurrence of the Exciseman, postponed commencing work beyond the time for which notice had been given. For this he was prosecuted, and when carried in to the Court of the Exchequer, he was advised by his own attorney to compromise the matter, which he did for 300*l.*, and his expenses amounted to 150*l.* more. This was a case that ought to have been stopped by the Commissioners of the Excise, and he thought if they were to do their duty, and look into the circumstances of cases before they prosecuted them, much vexation might be avoided. He knew that the right hon. Gentleman could not repeal these taxes, that they could not be spared; but he might prevent a great deal of evil by having the laws concerning them administered on a more liberal system.

Mr. *Nicolson Calvert* enforced the propriety of levying a higher duty on tallow when imported. If Russia levied a high export tax on that article, it was our duty to levy a large import tax, and encourage the produce of our own soil.

Mr. *Hume* wished to say a few words on the subject, as he had a Petition to present on it, and if he addressed the House then, he should have no occasion to do so at a later period. He would first say a few words on what fell from the Chancellor of the Exchequer. When the right hon. Gentleman said he could not spare the money—that he must deny—he had a surplus revenue of upwards of 2,000,000*l.* which he might spare to give relief to the people, for the revenue obtained by the tax on candles only amounted to 45,000*l.* For this sum 2,500 manufacturers were kept under the rod of the Excise, which was so severely laid on, that 300 persons had given up the business within a year. Last year 2,800 persons had taken out licenses to manufacture soap and candles, and this year there was only 2,500. It was impossible for the manufacturers to carry on their business under such odious and vexatious regulations. Nor was it possible for any man, not the most honest man in the country to carry on this business without incurring very severe penalties every week, if the Excise office acted up to the severity of the law. He had consulted a manufacturer and an exciseman on this subject, and he was satisfied that the business could not be carried on in obedience to the laws. As to the loss sustained by the Revenue, that might be compensated by an additional duty on tallow. At present Russia levied a duty of 2*s.* 6*d.* the cwt. on tallow exported, and we had a duty of 3*s.* 6*d.* on the import, making together a duty of 6*s.* on the cwt. Augmenting the import duty must give a greater Revenue without costing so much to collect it. The duty now received by the Exchequer on candles did not amount to above 1*d.* per pound, but that imposed, in fact, a tax on the people of 3*d.* or 4*d.* for every pound of candles they used. The hon. Member, it is true, proposed that the Motion should be brought forward next year; but at that time the right hon. Gentleman might not be in his present office, nor might he (Mr. Hume) be in Parliament—God knew where they might be next year! He knew that the right hon. Gentleman would be happy to remain, but what changes might happen before that time could not be known. He would not, therefore, if it were his business, postpone the Motion till next year; he would bring it forward this Session. The Chancellor of the Exchequer said, he could not spare the money. Let him but bring in the bill to raise the duty on Russian tallow to 7*s.* or 8*s.* per cwt., by which he might raise 200,000*l.* he would find no difficulty in passing such a bill; and he might immediately abolish the Excise duty on candles. That was levied on the farmers, on manufacturers, and other persons who felt it most severely. By abolishing this tax the Government would relieve an extensive manufacture from vexatious restrictions, which impeded the progress of the manufacture, and raised the price of a necessary of life to the industrious and poorest class. These restrictions were the cause why the manufacture was not improved. But he would go further also, and reduce the duty on soap. On it there was a direct tax of 3*d.* per pound. There was also a tax on tallow, a tax on barilla, a tax on rosin, which made the taxes on soap direct and indirect 4*d.* per pound, which every man had to pay before he could use a single pound of soap. There was another inducement to lower the tax which he would mention. He was anxious to see the duties equalized in England, Ireland, and Scotland. The taxes ought to be the same in every part of the empire, but he would never raise an Irish tax to the level of an English one. He would lower the English high tax to a level with the Irish low tax. If the Irish Members, who were in general very bad voters, would only attend, they might, perhaps, get such a thing accomplished. The Scotch Members were bad voters, but the Irish were worse; though, owing to a rebellion of the latter, he had once the misfortune to be in a majority. A bill was brought in relating to Scotland, and the opposition carried its point because, on that night there happened to be a rebellion amongst the Gentlemen from Ireland. They were 100, and if they would only attend and vote, no doubt a question for equalising the duties in all parts of the empire might be carried. But the inducement he was about to speak of was directed to the Chancellor of the Exchequer. He found that the exports of soap to Ireland, in 1827, amounted to 239,000 pounds; in 1828, to 859,000 pounds; and in 1829, to 2,645,000 pounds. Why, if the Irish used all the soap they imported they must be the cleanest people under the sun. Every individual who came over here from that country would be as bright as a new pin. The fact unfortunately was, that the soap was not used by the Irish, it was exported in such large quantities only to be smuggled back into England. It was sold in Cork for 2½*d.* per pound. The Chancellor of the Exchequer then might benefit by lowering the duties on soap and candles; and he hoped that the Session would not be allowed to pass away without commuting these taxes for some other, if they could not be, as he desired they should, abolished. He encouraged his hon. friend to bring forward his motion even this Session, and if it were supported as he had suggested, he had no doubt that the Chancellor of the Exchequer would come into their terms.

Mr. *Robinson* said, that the right hon. Gentleman had no reason to complain of not having the means to reduce these taxes, when there were masses of property in the country, and numberless enjoyments possessed by the rich for which no taxes whatever was paid. Since the peace twenty-two millions of taxes had been reduced, but they were the Property-tax, the tax on French wines, and various taxes which affected the opulent, while not one tax had been removed from the necessaries of life, or from the articles which were used by the poor and the industrious.

The Petition brought up, and to be printed.

Mr. *Sykes* presented two other petitions on the same subject, and expressed his regret that he could not bring forward the subject this Session, and if he were not there next Session, he trusted some Member more able would take up the subject.

The Petitions to be printed.

HABEAS CORPUS ACT IN CEYLON.] Mr. *John Stewart*, adverting to the discussion respecting Ceylon on a former evening, begged to ask the right hon. Secretary (Sir G. Murray) if an order had been sent out by Earl Bathurst, directing the annulling of the regulation which allowed the Governor to supersede a Writ of Habeas Corpus, why was it that Sir Edward Barnes had disobeyed that order?

Sir *George Murray* said, that Earl Bathurst had sent out the order, but it proved deficient in some technicalities, and Sir Edward Barnes sent it home in an amended form, for the approbation of the Government. He was confident, however, that after an express order had been sent out, disapproving of the practice which existed before, no Governor would presume again to adopt the same course.

NEW SOUTH WALES.] Mr. *John Stewart* then asked, if it was the intention of the Government to lay on the Table of the House the charges brought against General Darling, the Governor of New South Wales?

Sir *G. Murray* said, it was not the intention of the Government to lay the charges before the House until General Darling had an opportunity of putting in his answer. He had always been of opinion, that it was extremely unfair to allow charges of this kind to go forth to the public, and to be kept hanging over the head of a public officer, subject to all the comments and statements which might be made on them, perhaps for twelve months, before he had the means of knowing what was even alleged against him.

Sir *James Graham*, while they were on the subject of the Colonies, begged to ask if he had rightly understood the right hon. Gentleman the other night, when he declared, that after the Government Commission now sitting to inquire into the state of the Colonies had made their report, it was intended to present a regular financial statement every year, for the colonies exclusively?

Sir *G. Murray* said, it was undoubtedly the decided intention of the Government to adopt the course mentioned by the hon. Baronet.

SUPPLY—SOUTH AMERICAN MISSIONS.] The Chancellor of the Exchequer alluding to the understanding that public business was to commence as soon as possible after half-past six, moved the Order of the Day for the House to go into a Committee of Supply.

The House resolved itself into a Committee, Sir Alexander Grant in the Chair.

On the first Resolution, granting a sum of 28,000*l.* to defray the expense of Special Missions to the New States of South America,

Sir *James Graham* expressed his surprise that, although this Estimate was even larger than the last, no explanation of the items had been attempted by his Majesty's Government. The House, he was confident, would feel as much surprise as he did when they were made acquainted with the extent of the sums lavished on this branch of the service. They were to be found in a Return lately laid on the Table; and although that Return included the expenses of a period when the present Government could not be said to be personally accountable (the year 1825), yet many of the Ministers he saw opposite were then in power, and the Return was brought down to a period beyond the year 1828, since which, the present Government had held uninterrupted sway. It was not his intention to detain the House with many observations on the extravagance of spending such sums on countries which could not require so much parade and show on the part of the representatives of this country as some of the ancient monarchies. He should at once proceed to put the House in possession of the items of which he complained, and the first he found on the list was the Special Mission sent out in 1825. In that year Mr. Morier was despatched on a special mission to Mexico. He remained five months altogether at his post, and he received 3,656*l.*, with a sum of 1,670*l.* for the expenses of his journey home, making on the whole 5,326*l.* for five months' service. In the next year Mr. Morier was sent out again. He was three months at his post, and he received 1,506*l.* going out, 755*l.* for travelling expenses coming home, and 300*l.* for his passage in a King's ship, making in the aggregate a sum of just 8,987*l.* for eight months' service in Mexico. The House would probably suppose that a sum so large was all that was required for the proper representation of England in the new State of Mexico, but it would not be a little surprised to find, that at the time these missions were sent out there was a resident Consul in Mexico—Mr. Ward—who received for his services the following sums:—in the year 1825, he received 10,913*l.*; in 1826, 5598*l.*; in 1827 he received 2,523*l.* and 828*l.* for passage-money; so that, in the space of twenty-five months, Mr. Ward's Mission to Mexico cost 19,862*l.* Having thus disposed of the first and second commissions, it might be supposed the expense was at an end; but then there came a third person—a Secretary to the commission—whose charge was more extraordinary still. This gentleman was at his post five months, for which he received 500*l.* or 100*l.* a month; but then came the extra-extraordinary portion of the charge—Mr. Thompson, the Secretary, held the situation of one of the clerks of the Ordnance Board, and there was a charge for compensation to the amount of 380*l.* for loss of what did the House think? of salary in the Ordnance-office—for the loss of salary for the performance of duties he could not perform, because he was receiving 100*l.* a month to perform duties elsewhere. This gentleman, too, not content with the salary for his services in Mexico, had taken an excursion into Guatemala, for which he charged 600*l.*; so that altogether the expenses of the missions to Mexico in two years were about 31,857*l.* He would next call the attention of the Committee to the appointment of Mr. Cockburn on the mission to Colombia. On his appointment in 1825, he received 3,325*l.* for his outfit, and, in 1826, a salary of 6,300*l.*, making altogether 9,600*l.*, although he never went to Bogota, but passed three months at the Caraccas, and three weeks of it at the house of the English Consul. Mr. Cockburn crossed the Atlantic twice at the public expense. In 1827 (having returned to England), he received 3,778*l.*; and when he went out again, therefore, it was to be supposed that it was for the purpose of actively discharging his duties. He never went to Bogota, however, and returned to England the bearer of his own despatches; for which, as he (Sir James Graham) understood, the Foreign Office did not think him justifiable. In the first year of his mission, Mr. Cockburn had been employed three weeks; in the second year nine weeks; and for those services he received above 13,000*l.* It might now be expected that Mr. Cockburn and the public were at least quits. While Lord Dudley and Ward continued at the head of Foreign Affairs that was the case; but when that noble Lord went out of office, by some mysterious influence which he did not understand, a sum of 1,664*l.* was granted in 1828 "to complete Mr. Cockburn's allowance" [*a laugh*]. Thus Mr. Cockburn obtained in the whole a sum of 15,975*l.* for twelve or thirteen weeks' residence at his post: or rather for not residing there at all; after which he fell back on a pension of 1,600*l.* a year. It was but justice to a very unassuming individual, Colonel Campbell, who had performed five years' faithful service, and had always been at his post, to state that he had been superseded for the purpose of making room for other persons. After what had occurred, it might have been supposed that his Majesty's Government would shut the door against any further expense on this score. Not so. They started afresh with Mr. Chad. Mr. Chad was appointed to proceed to Bogota in 1828; and received 1,666*l.* for his outfit; and a delay taking place in his departure, he received 1,334*l.* more, making 3,040*l.* in 1828. In 1829 Mr. Chad received 2,062*l.* All this time he was residing in London. So that he received 5,100*l.* of the public money and never went at all.

The third gentleman appointed was Mr. Turner. Mr. Turner, in 1829, received 2,500*l.* for his outfit; a third of his salary, amounting to 2,500*l.*, the rent of a house in Colombia, although living in this country, and 528*l.* for his passage; making altogether 4,955*l.* for Mr. Turner in the year 1829. All this, be it observed, took place under the control of Lord Aberdeen and the other members of a government which affected to plume itself on economy. There was another item which it would be unfair to omit. It related to an individual who was an old friend of his, and whom he allowed it was a meritorious act on the part of Government to employ—he meant Mr. Henry Fox. And yet the manner in which that gentleman's appointment was managed rendered it a complete job. When he was appointed, in 1828, to go out to Buenos Ayres, he was at Naples, and received 1,500*l.* for an outfit. At the present moment he was in Italy, and not only had he received his salary in 1829, but had received an advance of 1,000*l.* For Lord Strangford's special mission to the Brazils there was a charge of 6,786*l.* The object of that mission remained unexplained. As far as could be judged from appearances, it was of a nature hostile to the liberties of Portugal. He would conclude by moving a reduction of the proposed vote, and the following were the specific grounds of that reduction:—

Surplus of the Estimate over that of last year	579
Lord Strangford's Special Mission	4,050
Mr. Chad's Outfit in 1829	2,062
Mr. Turner's Outfit	2,500
	£. 9,191

That was the sum which he should move to deduct from the proposed vote. He had stated the facts of this extravagant expenditure; but he was bound also to say, that if his Majesty's Government or the House fancied that the condition of the labouring classes in this country had so improved of late that it became no longer necessary to think of economy, they were in a most grievous error. It was true that the milder weather of the present season, and some improvements in particular branches of manufacture had somewhat lessened the distress of the people. But still, the rate of wages was such, and the prices of the necessaries of life were so enhanced by heavy taxation, by the operation of the Corn-laws, and by other circumstances, some of which were, perhaps, inevitable, that the labouring classes were suffering the most grinding distress. Under these circumstances, they looked towards the proceedings of that House with the utmost anxiety. He was sometimes afraid of pursuing the course which he nevertheless felt it to be his duty to pursue. He was sometimes afraid of laying too bare and naked to the public view the abuses of the State, lest it should weaken the attachment of the people to the institutions of the country. But if all persuasion failed to induce his Majesty's Ministers to adopt rigid plans of economy, there was no alternative but to let the people distinctly see the practices of which they were the victims. The time for dallying was past; and he called on the House to mark, by the vote that evening, the sense which was generally entertained of the extravagant expenditure in question. Let the House recollect the circumstances of national difficulty and distress under which they had met, and the recommendations to economy in the Speech from the Throne. Yet they had passed the Army Estimates and the Navy Estimates, as proposed by Ministers, without the reduction of a single shilling; notwithstanding the numerous items which his hon. friend near him had pointed out as capable of being advantageously reduced. Not a reduction had been made, with one solitary exception, and that as paltry as the spirit which had rendered it necessary—he meant the reduction of the pensions that had been granted to the two sons of Cabinet Ministers. The honourable Baronet concluded, amidst loud cheers, with moving to reduce the proposed grant to 18,809*l.*

The *Chancellor of the Exchequer* said, he had listened with considerable attention to the grounds on which the hon. Baronet proposed the reduction he had moved; but he confessed that he could not see why, because in the years 1825, 1826, 1827, and 1828, there might have been an expenditure exceeding what the hon. Baronet thought proper, that they should therefore make in 1830 an arbitrary reduction, such as the present. He would remind the House, that if there had been no reduction by the House of the Estimates proposed by his Majesty's Government, that might, in some degree at least, be attributed to the fact that the Estimates prepared by Government had fallen short of those of the preceding year by 1,100,000*l.*—a circumstance which had been hailed by several of the hon. Gentlemen opposite as beyond their expectation. It was not fair to cast a slur on Ministers for not being economical, when they had thus incontrovertibly proved their disposition to be so. They had been economical also, not by weakening the force of the country, but by a diligent examination of the expenditure in all the subordinate ramifications. He came now to the immediate question. Had there been shown any disposition to reduce this particular estimate or not? What were the facts? In 1826 the expenditure for diplomatic services was 459,500*l.*; and in 1829 it was only 366,000*l.*; being within 7,000*l.* of a reduction of 100,000*l.* Surely this was some indication of the attention which Government had paid to the subject. But did he say that Government was content with the reduction already made? Far from it. But our ministers were dispersed in various parts of the world, and reduction must be preceded by previous communications. The Government had shown its disposition, and that disposition was still in active operation. By the arrangements which Lord Aberdeen was making, he entertained great expectations that the expense of the diplomatic services of South America would be brought within the sum charged on the Civil List for the European missions. So much for the general estimate. He would now proceed to particular points. The hon. Baronet had begun with stating the expenditure of 1825 on the different missions to South America. He (the Chancellor of the Exchequer) admitted that they were large. No one could deny it who saw the accounts on the Table. But when first the South American States were called into existence, it was impossible accurately to estimate the expense of living in those countries. It was thought by Mr. Canning, when Mr. Ward was sent to Mexico, that as it was a kind of experimental mission, some latitude should be given to the individual engaged in it, by which Ministers might be subsequently enabled to ascertain the proper amount. If, however, the expenditure of that period were brought forward now as a proof that Government were not at present disposed to economy, it appeared to him to be a most inconclusive proceeding. The next point to which the hon. Baronet had alluded was, the appointment of Mr. Cockburn to a mission to Colombia. It was undoubtedly true, that during the three years of his appointment Mr. Cockburn had resided in England for eight months. In justice, however, to Mr. Cockburn, he must state the circumstances which had occasioned his absence from the country to which he had been deputed. Mr. Cockburn, having been appointed in the beginning of 1825, received for his outfit the usual sum of half his year's salary. He proceeded to South America, and arrived at the Caraccas. It was true that he did not go to Bogota, the capital; but he was sure the hon. Baronet must know the grounds on which his absence was to be accounted for. Not long after his arrival he attempted to proceed thither, but was prevented by a fever, which reduced him to a condition of such imbecility that he was carried on board ship in a state of complete insensibility, and it was thought by those who were personally interested in him, that it was not possible he could survive. He was conveyed to Jamaica, and thence to England. When he presented himself to Mr. Canning, such was his altered appearance, that Mr. Canning not only approved of his return, but prolonged his leave of absence. According to the hon. Baronet's opinion, because Mr. Cockburn was incapacitated by illness from fulfilling the duties of his office, he ought to have been deprived of his salary. Mr. On Cockburn's recovery, and on his return to South America, when he arrived at the Caraccas, he found Bolivar there. Being accredited to the country of which Bolivar was the President, it was certainly not very unjustifiable on his part to wait at the Caraccas with him, rather than to proceed up the country and wait for him at Bogota. From the Caraccas Mr. Cockburn proceeded to Carthagena with Bolivar, and there had, with that distinguished individual, various most important and useful communications—so important, that he thought he should best consult the public service by a personal communication of them to his own Government; and therefore, at the request of Bolivar, as well as on the suggestions of his own judgment, he returned from Carthagena to lay those communications before his Majesty's Ministers. It might or might not be that, in so doing, Mr. Cockburn judged erroneously; but the question for his Majesty's Government to consider was, whether the error was such as to entitle them to deprive him of the salary, to which, in the ordinary course of things, he was entitled up to the period of his arrival. The decision was, that there had not been the criminal misconduct which would justly subject him to any such mulct. He now came to the cases of Mr. Chad and Mr. Fox—As to the appointment of Mr. Chad, there was nothing in it in the slightest degree irregular; and it could not be denied that his salary did by no means exceed the expenses necessary in the situation which he held. In reply to the objection respecting his outfit, he had to observe, that an official functionary going out there, had not only to take with him mere matters of luxury, but, in fact, every article of the most common necessity; he therefore thought the House would agree with him, that the outfit in question did not exceed what it ought to have been. He fully agreed in all that had been said with respect to the character of Mr. Fox, and he thought that when his case was calmly and impartially considered, it would be admitted, that what had been done respecting him was not done, as had been alleged, with any view to promote party purposes. He was at the present moment on his passage to Buenos Ayres, and if he did not go thither on the instant of his appointment, it was because the disturbance which had then broken out at Buenos Ayres rendered it unadvisable. The House, he was persuaded, could not but feel that most of the objections raised to this vote were extremely ill-founded; the more especially as it did not exceed the votes of antecedent years.

Sir *James Graham* said, that 27,421*l.* was the actual amount of the expenditure of last year.

The *Chancellor of the Exchequer* said, that though that sum might be the whole of the money paid within the year, yet it was not the whole of the expense incurred. bills were drawn by the different functionaries, all of which did not happen to fall due within the year. The vote last year was 28,000*l.*, and the estimate for the present was the same; and, in the next year, the whole expenditure would be paid out of the money granted in the Civil List.

Sir *Robert Wilson* would oppose any reduction of the reward granted to Mr. Cockburn for his valuable services. In consequence of the divided state of the government of Colombia, it was necessary to appoint some person whose prudence could be depended upon, to negociate with Bolivar respecting matters which concerned the interest both of this country and that Republic. Mr. Cockburn was selected to perform that delicate duty, and in consequence met Bolivar at the Caraccas, and inspired that General with so much confidence, that he considered Mr. Cockburn the most fitting person to whom to intrust that information which he wished to communicate to the British Government. He implored and conjured Mr. Cockburn, as the friend of Colombia, and the friend of his own country, to return to England, and give to the Government those explanations which he alone could give. Mr. Cockburn hesitated for some time, and even refused to comply with the request; but at length, after accompanying Bolivar to Carthagena, returned to England. Under those circumstances, he (Sir R. Wilson) thought that Mr. Cockburn had done nothing but his duty, taking upon himself a responsibility which no civil or military servant ought to refuse to incur in the service of his country. He therefore considered that it would be most unjust and ungenerous in that House to reduce Mr. Cockburn's income, as a punishment for his return to this country.

Colonel *Davies* said, that notwithstanding the gallant Officer had risen to defend Government—

Sir *R. Wilson* loudly denied that he rose for the purpose of defending the Government. He had only volunteered to speak the truth, and that which was just,—a course which he should pursue to the last moment of his existence.

Colonel *Davies* had no wish to assign a false motive for the gallant Officer's conduct, but he asked the gallant Officer whether, in defending his friend (for such he presumed Mr. Cockburn to be) he had not strenuously supported the arguments of the right hon. Gentleman opposite. However, the statement of the hon. member for Cumberland (Sir James Graham) still remained unshaken, and Mr. Cockburn's salary could not be called any thing but monstrous and extravagant. He had never heard a more inefficient defence than that which the right hon. Gentleman opposite had attempted to set up. The extravagance of the items was monstrous. Mr. Ward received, to defray his travelling expenses from London to Vera Cruz, no less than 1,700*l.* a sum sufficient to have taken him round the world; and Mr. Cockburn 600*l.* for house-rent in Caraccas for three weeks. He could not agree in the gallant Officer's view of the propriety of Mr. Cockburn's departure from Colombia. From the disturbed state of the country, it might have been expected that events of the most serious importance would take place, and that his absence would prove highly detrimental to the interests of this country. The gallant Officer complained of the injustice of mulcting Mr. Cockburn; but did not Lord Dudley, who was well acquainted with all the facts of the case, mulct that gentleman? But Mr. Cockburn's case was not the only one respecting which the Government ought to be censured for extravagance. It appeared by the paper on the Table, that the hon. Robert Gordon received a whole year's salary as minister to the Brazils while he was detained more than the half of that year in London. In conclusion, he regretted that the hon. Baronet had not brought the Consular Department under the notice of the House. The subject was one which required the serious inquiry of a committee, and the conduct of the Minister through whom such malversation had taken place ought to be investigated.

An hon. Member thought, that Mr. Chad having been detained in England in consequence of the disturbed state of Colombia, it would have been unjust to have made him pay his own expenses in London without remuneration, especially when his salary there was only half of that to which he was entitled on going abroad.

Mr. *Hume* said, the Government professed economy, and in almost every instance disappointed the expectations which those professions excited. The Amendment of his hon. friend, the member for Cumberland, ought to be agreed to, were it only for the purpose of showing that the House disapproved of the conduct of his Majesty's Government. He held in his hand a memorandum made last year, to which he should presently call attention, but first he must be allowed to observe, that nothing could be more preposterous than the expense to which the country was put on account of our diplomatic missions. In a comparison with the American ministers, our ministers had very little to boast of, and they cost their country infinitely more. The memorandum made last year of the expectations held out from the other side of the House was in these words—"that measures were in preparation by which it was expected that in the ensuing Session considerable reductions would be made in this department." Now, instead of a reduction, there was an increase; and he wished to know how that was to be met but by a refusal of the supplies? If the House would but just pay a little attention to the papers, they would see what all this boasted economy of the Chancellor of the Exchequer came to. In 1828 the sum in this department was 445,000*l.* In 1829 it was put down at 407,000*l.*, and for the last year it was fixed at 366,000*l.*, forming an apparent reduction of 40,000*l.* But the fair way of examining it was to see what the average of the years from 1788 to 1793 was. The expenses in this branch, at that period, were 113,000*l.* Even in 1816 they only amounted to 226,000*l.*, which, though too much, was greatly less than the amount charged of late years. The point to which he wished to direct the attention of the House was this:—His Majesty's Ministers had promised reduction; no reduction was made, and any expectation that it would be made, unless insisted on by the House, was perfectly hopeless.

Sir *Stratford Canning* said, there was no man more sensible than he was of the necessity of attending to economy, and of reducing as much as possible the expenditure of the country; and, under the influence of that impression, and bearing in mind the distressed state of the country, he had voted for a modification of the Address to the Crown the first night of the Session. But though the House was bound to pay the strictest attention to a question of this nature, yet he could not avoid saying, that economising might be carried too far; he rather recommended the House to look forward to future reductions in other years, than interfere with the existing arrangements. The effort to get everything performed at the lowest possible price, without due attention to the manner in which the duties might be performed, reminded him of an anecdote of a man who expressed considerable surprise on hearing the price of a very valuable picture, that that quantity of paint and canvass could cost so much money, ignorant of the years of toil, and the many rare acquirements necessary to the artist of a great work. He hoped he might be allowed to apply this to the present case; he begged, however, to assure the House, that in doing so he always wished to see the public service performed upon as cheap terms as possible, and to see reduction carried as far as it possibly could. He thought that it was in the minor appointments, rather than in those of ambassadors, that the retrenchments might most judiciously be made. In Naples, Denmark, Sweden, and Norway, where there were maritime interests to support, it might be very well to have ministers; but there were other places where the general opinion was, that there was no necessity for a representative of this country. Tuscany was one of those instances; though the noble Lord himself, who occupied that station, had uniformly succeeded in conciliating the esteem and regard of all who came in contact with him. In Germany, also, he conceived that there was room for retrenchment. Bavaria, Saxony, and Wurtemberg were places of so small importance, that he thought this country would be sufficiently represented in all those places by keeping a minister at Frankfort. From the assurances that had been given by the Chancellor of the Exchequer, he trusted that another year would not be suffered to pass away without retrenchment taking place, such as would prove satisfactory to the House of Commons. From what he had heard stated, he thought that a satisfactory answer had been given to the most important allegations of the hon. Baronet. He was certainly most unwilling to believe that his late lamented relative (Mr. Canning), when at the head of the Foreign Department, would have authorised any improper expenditure. The first expenses that had taken place with respect to South America were all experimental; and necessarily so, for it was impossible to calculate what those expenses would be; of course a great portion of them was obliged to be left to the honour of those employed in the service; and, unless there were particular circumstances to attract his attention, the Secretary of State could not look into the charges with that minuteness which he would in cases where the salary was fixed. He would conclude by impressing on the Government and the House the necessity that there was for carrying retrenchment into execution, not only in that branch, but in every other branch of the public service, though on the other side, due care was to be taken that every facility was afforded to the discharge of their important functions.

Mr. *Hobhouse* said, he had no doubt that the House would be extremely happy to avail itself of the right hon. Gentleman's information when the European missions came under consideration; but at present the observations of the right hon. Gentleman were hardly applicable to the subject more immediately before the House. To the objections that had been taken to the present vote, it appeared to him that no answer had been given; and the case of Mr. Gordon was one that most particularly called for explanation; he certainly thought that a Cabinet Minister ought to be so good as to explain why 5,500*l.* had been paid to that gentleman for doing little more than nothing. He did not wish to deny or depreciate the services of that gentleman, but they were all aware of his connections, and he was astonished that a sense of decency and decorum had not prevented the taking of such a step. He should have thought that, under the circumstances, they would rather have been disposed to cut away the salaries of relations than thus obtrude them upon the country. He did not mean to say that gentlemen, because they were the brothers of Secretaries of State for the Foreign Department, were to be deprived of their just meed of reward; but when there was any doubt in the case, he thought delicacy ought to be allowed to have some little weight, and that those who of course followed politics for honour, and not for profit, ought to tell their brothers that such uncalled-for pensions could not be allowed. With respect to South America, he was one of those that wished that every encouragement should be given to its rising Republics, and God knew that we had done little enough for the cause of liberty; and therefore, he had no desire to check any countenance being afforded to those States. But at the same time there was a medium to be observed; and they were not to be told every day, that because something was going to be done, there was to be an unlimited call upon the public purse. As to this being a personal attack, such an idea was quite out of the question; on the contrary, instead of persons of such connections holding these situations, he should be much better pleased if it were Tom, or Dick, or Harry, whom nobody knew, because they might then be able to attack and expose such poor devils without being alarmed as to what friends it might summon to the field. He was not accustomed to meddle with these matters, but certainly, on turning over the papers, he had been struck with this as a most monstrous sum; and that it was a case incapable of defence appeared from no one on the other side getting up to defend it. That reduction to a certain extent had taken place was true, and no one would pretend to deny it; but at the same time no one could conscientiously deny that it was nothing to what ought to have taken place. They were not there to revoke what had been paid to Mr. Gordon or to Mr. any one else. The money was gone, and therefore, past praying for. But they were there to try to persuade Parliament not to trust too much to the representations of Ministers. It was no personal object that they had in view; all that they were attacking was the system—a system of confidence which had been too often shown, and on which the House of Commons ought never to proceed. He was ready to admit that gentlemen sent from England to represent it in foreign countries were not exactly in the same situation as the ambassadors of other countries. Such a system might be wrong, but it had long been in practice. But that system might be carried too far; and when a gentleman was sent to the Brazils, and it turned out that, instead of being there, he was here, he thought that it was impossible for the House of Commons to allow such a vote to pass till something like a security had been given, that there should be no recurrence of what had happened in this instance.

The *Chancellor of the Exchequer* explained to the hon. Gentleman that he was under a mistake when he said that Mr. Gordon had been in this country all the time. The fact was, that from the time of his accepting the appointment, he either was in the Brazils, or on the sea on his journey, until September. From September to January, 1829, it was true that he was in this country; but during that period, though he was still engaged in business connected with his appointment, he only received half his regular salary; and in January, 1829, his salary ceased altogether, though it was not till April in that year that he had ceased to be employed in the affairs of his office.

Mr. *Ward* observed, that shortly after he became a Member of that House, he recollected Mr. Canning stating, that he felt it to be his duty to enter on a series of experimental diplomacies to ascertain what relations could be established between this country and South America. He at the same time stated, that it was impracticable for him to define what the nature or extent of those diplomacies might be; but he did state, that as the necessaries of life were much enhanced in value in those countries, it would be necessary to make allowance for that circumstance. It was with this view that we entered upon the course then proposed. The new States of South America standing chiefly in need of maritime support, they naturally turned their attention to England and America; and while England felt that it would be desirable to find in those States a market for her exports, she could not help seeing that in America she had a dangerous rival. The right hon. Gentleman had at a former period stated, that the exports from this country to South America amounted to nine millions annually. Either this was true, or it was not; and on this chiefly would depend the question for the consideration of Parliament, whether our relations with those States ought still to be maintained; and if the decision was in favour of their being maintained, he hoped that the Committee would not cut down the estimates, as had been proposed by the hon. Gentlemen on the other side.

Lord *Howick* said, that the question was, not whether they should cut down the missions to South America, but whether they were to keep gentlemen nominally there, but really at home, or else on the high seas, pleasantly voyaging between England and America, but doing no duty at all. He could hardly be persuaded that Government would refuse to consent to the Amendment of the hon. Baronet, without further reasons being given for that refusal. The right hon. Gentleman had rested upon the Estimates of last year; but his hon. friend had taken a leaf from his own book, and in the reductions he had proposed to make, he had cut off nothing useful or serviceable, but only such things as were encouraging a profligate and shameful expenditure. He agreed with the hon. member for Westminster, that there was no desire to attack individuals; on the contrary, he thought that those very individuals had no less right to complain than the public, for they had a right to complain —of being kept in London, and receiving a salary for doing nothing. The mere amount of money wasted in outfits was enormous; from the documents it appeared, that the charge in four years had been no less than 7,166*l.* It might be very true that Mr. Cockburn's health was such as to preclude his residence in South America, and that there were very sufficient reasons for not sending Mr. Chad or Mr. Turner there, but all that could be said, if this were the case, was, that there had been a great want of care on the part of Government in not managing their appointments so as to avoid the expense of three outfits before one person was really sent out to undertake the duty. In the case of Consuls, the arrangement was, that if they were absent from their posts, a reduction from their salary was made for the support of a deputy. Even in the case of Mr. Ricketts, whom ill health prevented from attending to his duty, 900*l.* a year was deducted for a deputy. But no such thing was the case with Mr. Cockburn; and yet this gentleman had his deputy too. Altogether his Chargé d'Affaires had received at the rate of 1,885*l.* a year; and on the whole it appeared, that the enormous sum of 17,779*l.* had been paid by the public, for which Mr. Cockburn had only discharged a few weeks of actual service.

Sir *James Graham* wished to say a few words to the Committee before they decided upon the Amendment. In reference to what had fallen from the right hon. Gentleman opposite (Sir Stratford Canning), he must say that his respect for the talents and character of that right hon. Gentleman would induce him to give every consideration to his opinions. He had spoken of the conduct of his late right hon. relative as was natural and becoming. What however was the conduct of that right hon. Gentleman; what was the course the late Mr. Canning pursued when an exception was taken to an expenditure of the description under the consideration of the Committee? Why, he at once said, "I am desirous to have a committee of the House of Commons to examine into the subject minutely, and I shall at once submit every item of the accounts." How marked was the difference between the conduct of the present Ministry, and that of Mr. Canning, who, although not boasting of economy as loudly as those now in power, with the noble and gallant spirit that distinguished him, stood forth at once the advocate of full and free inquiry, instead of preventing explanation, and taking every opportunity of suppressing information. It had been said that he had unfairly stated the case of Mr. Cockburn. He referred to that case as an illustration, because Mr. Cockburn ceased his functions in 1828, in order to prove the necessity of the reduction he had proposed. His hon. and gallant friend was angry at the imputation; he seemed to think that a reflection had been cast upon this gentleman's character; but he could assure his hon. and gallant friend, that he was ignorant of the circumstance of Mr. Cockburn's illness. As to what had been said by the right hon. Gentleman opposite (the Chancellor of the Exchequer), his own recollection was distinct upon the point, and it entirely agreed with what had been stated by his hon. friend, the member for Aberdeen. Last year such a pledge as that he mentioned, was given by the Chancellor of the Exchequer; yet the right hon. Gentleman now coolly came forward, and asked for a grant even larger than that of last year by the sum of 570*l.* As to Mr. Cockburn, it seemed to be implied that he must have known that he was unwell; but he would repeat, that he had no such knowledge, and indeed, he was persuaded that both the House and his hon. and gallant friend knew him too well to imagine that he would propose that a public officer should be deprived of his salary when it pleased the Almighty to deprive him of his health. He had stated what he thought, namely, that it was rather too much to give 6,000*l.* a year to a gentleman, for doing nothing, besides 600*l.* for a house which he did not occupy. He did not ask the House to adopt any measure relative to the extravagance of the last year; all he wished was, that such extravagance might not be continued. The specific ground of the reduction he sought for was this—that in 1829, there was an expenditure of 9,191*l.*, which would not be necessary in 1830, unless similar events should occur, or unless there was a determination to allow abuses to continue. First, there was the sum for Lord Strangford, 4,050*l.*, then there was Mr. Chad's outfit in 1829, 2,062*l.*, which, unless the South American ambassadors were to be kept in London without doing any duty, would not occur again this year. Next came the outfit for Mr. Turner, 2,500*l.*, and the excess of the estimate, 579*l.*, over that of last year, making in the whole the sum he had before mentioned of 9,191*l.* These were the grounds of his proposition. He did not wish to cast any reflections, but he called upon the

House to decide whether the Commons were not bound, under the present circumstances of the country, to prevent all unnecessary expenses, whenever it was in their power to do so.

The Committee then divided—For the Amendment 99; Against it 118—Majority 19.

List of the Majority.

Alexander, J.
Antrobus, C.
Atkins, Alderman
Ashburnham, P.
Ashurst, J.
Arbuthnot, Rt. Hn. C.
Batley, C. H.
Burrard, G.
Bingham, Lord
Beresford, M.
Baillie, J.
Barclay, D.
Barclay, C.
Bramston, J.
Bankes, G.
Bastard, J.
Brydges, Sir J.
Brecknock, Lord
Beckett, Sir J.
Cartwright, W. R.
Clive, H.
Calcraft, Rt. Hon. J.
Calvert, N.
Calvert, J.
Campbell, A.
Clerk, Sir G.
Courtenay, Rt. Hn. T.
Croker, J. W.
Capel, J.
Cavanagh, Col.
Canning, Rt. Hn. Sir S.
Cradock, Col.
Corbett, P.
Castlereagh, Lord
Cooper, B.
Coote, Sir C.
Cripps, J.
Cockburn, Sir G.
Dalrymple, Sir A.
Dawson, M.
Darlington, Lord
Doherty, J.
Dundas, R. A.
East, Sir H.
Eliot, Lord
Fitzgerald, Rt. Hn. M.
Fellowes, W. H.
Gilbert, Davies
Goulburn, Rt. Hn. H.
Gurney, Hudson
Gordon, Hon. Capt.
Gower, Lord L.
Grenville, Hon. C.
Herries, Rt. Hon. C.
Holmes, W.
Hulse, J.
Hay, Lord A.
Hutchinson, R. (Tipperary)
Hardinge, H.
Hay, M.
Hope, H.
Innes, Sir H.
King, Sir J. D.
King, Hon. R.
Knox, Hon. T.
Knox, Hon. J.
Legge, Hon. A. C.
Lushington, Col.
Lewis, Rt. Hon. F.
Lumley, S.
Loch, J.
Lowther, Lord
Leech, J.
Maxwell, John
Moore, G.
Murray, Rt. Hn. Sir G.
Maitland, Hon. A.
Maxwell, H.
M'Kinnon, C.
Manning, W.
M'Kenzie, Sir J.
M'Leod, N.
Martin, Sir B.
Norton, Hon. C. H.
O'Brien, W.
Petit, L. H.
Peel, Sir R. Bart.
Peel, W. J.
Peel, Col. J.
Powlett, Lord W.
Perceval, S.
Phipps, General
Prendergast, M. G.
Planta, J.
Ross, C.
Rochford, General
Rogers, W.
Rae, Sir W.
Saunderson, E.
Somerset, Lord G.
Scarlett, Sir J.
Sugden, Sir E. B.
Smith, G.
Smith, J. A.
Smith, C.
Sotheron, Admiral
Sturt, J.
Stuart, James
Thompson, Ald.
Tunno, R.
Trench, Colonel
Thomson, L.
Van Homrigh, P.
Williams, O.
Ward, W.
Wood, Colonel

TELLER.

Dawson, G. R.

List of the Minority.

Brown, J.
Buxton, T. F.
Benett, J.
Brownlow, Charles
Bernal, Ralph
Baring, Sir Thomas
Baring, F.
Beaumont, T. W.
Bentinck, Lord G.
Buller, C.
Blake, Sir F.
Buck, W.
Bankes, H.
Birch, J.
Coke, T.
Carew, Richard
Clifton, Lord
Calthorpe, Hon. F.
Curteis, E.
Colborne, R.
Davenport, Edward
Dawson, Alexander
Davies, Colonel
Denison, W. J.
Denison, J.
Dickinson, W.
Duncombe, W.
Ebrington, Lord
Easthope, John
Ewart, T.
Fazakerley, John N.
Fortescue, Hon. G.
Foley, J. H.
Fane, J.
Guest, J. J.
Grattan, Henry
Heathcote, Sir W.
Howick, Lord
Hume, J.
Hobhouse, J. C.
Honywood, W. P.
Howard, R.
Jephson, C. D. O.
Inglis, Sir R. H.
Kennedy, T. F.
Knatchbull, Sir E.
Lushington, Dr.
Labouchere, H.
Langston, J. H.
Lennard, T. B.
Latouche, R.
Mackintosh, Sir J.
Macdonald, Sir J.
Monck, J. B.
Marjoribanks, S.
Martin, John
Macauley, T. B.
Marshall, J.
Marshall, W.
Morpeth, Lord
Milton, Lord
Normanby, Lord
Oxmantown, Lord
Ord, Wm.
Osborne, Lord F.
O'Connell, Daniel
Philips, G. R.
Phillimore, Dr.
Palmer, C. F.
Pendarvis, E. W.
Price, Sir Robert
Protheroe, E.
Philips, Sir G.
Power, R.
Robarts, A. W.
Rancliff, Lord
Robinson, G. R.
Robinson, Sir G.
Rickford, W.
Rice, S.
Slaney, R. A.
Smith, V.
Strutt, Colonel
Sadler, M.
Sandon, Lord
Scott, Hon. J. H.
Trant, H.
Tynte, E. W.
Talbot, Colonel
Tufton, Hon. H.
Tomes, J.
Tennyson, C.
Taylor, M. A.
Thomson, C. P.
Wilbraham, G.
Warburton, H.
Webb, Col.
Wood, Alderman
Wood, J.
White, H.
White, Colonel
Yorke, Sir J.

TELLER.

Graham, Sir James

PAIRED OFF.

Calvert, Charles
Dundas, G.
Dundas, T.
Harvey, D. W.
Knight, R.
Poyntz, W. S.
Smith, Hon. R.
Western, C. C.
Wood, C.

FORGERY.] The House resumed, and

proceeded to the Order of the Day for the third reading of the Forgery Bill.

The Bill was read a third time.

Sir *James Mackintosh* said, he had an Amendment to propose to the Bill, which was the same as that he had proposed in the Committee. He was not aware that the first question that night would be for the third reading of the Bill; he conceived that the motion would be for the bringing up of the Report; and he intended then to move his amendments, but he must now introduce them in another shape—that of a rider to the Bill. The first clause he meant to propose to add, would be the same as he had proposed in the Committee. He intended by that proposition to repeal the penalty of death for all cases of Forgery, except the case of forging wills, which he retained against his own inclination, making a sacrifice of his own opinion, out of deference to the opinions of a great many Members, who observed, accurately enough, that there was some peculiarity in the crime. He should propose, then, to repeal the capital punishment in all cases of Forgery, except the case he had mentioned, which was distinguished from others. In place of this punishment he meant to give a power to every court before which a person was convicted of forgery, to sentence that person to imprisonment, with or without hard labour, for any period not exceeding fourteen years. The same court should also have a power to substitute for imprisonment, banishment to any penal colony, also for a term not exceeding fourteen years. He should propose also that the court should not only have the power to inflict either of these punishments, but to accumulate them both, when the enormity of the offence should, in its opinion, justify such an accumulation of punishment. He should also propose to vest a power in the Crown, to make a regulation for the treatment of persons transported for Forgery, so that the crime might be marked as one of the greatest enormity and danger, ranking next after the crimes of personal violence. He should wish, in addition, to take away the power which was possessed by the Governors of our penal colonies, at least by the Governor of New South Wales, of mitigating in cases of forgery, the punishment inflicted for that offence. He proposed this in order that persons of education, such as those who generally committed forgery, and who being very often persons, on account of that education, useful for public situations in a colony, might not escape the punishment to which they were condemned. He meant to take away the power of remitting or relaxing the punishment of persons convicted of forgery, except it was obtained through representations to his Majesty. He did not intend to infringe on the prerogative of the Crown, but short of its exercise no remission of punishment should be granted to persons convicted of forgery. These were the objects of the clauses he meant to propose. He should be prepared to bring up these clauses in a few minutes, and the first Amendment he should move would be in the first paragraph of page three, line seven, to the words "and shall suffer the punishment of death," to be left out. He would then, as the clauses on account of being engrossed could not be immediately brought up, formally propose that a clause for taking away the punishment of death in all cases of forgery, except that of forging wills be added.

Mr. *Fowell Buxton* rose to second the Motion. He did not mean, he said, then to enter into all the arguments that might be urged on the general question; he should apply his observations to remove the strong impression which had been made on the House on a former evening, by the speech of the right hon. Baronet. As that speech did not relate to party politics, and as it had been said that the subject was not discussed as a party measure, he trusted that his remarks would not be looked on as dictated by the least spirit of hostility. The facts on which the right hon. Baronet had laid the most stress—though he thought that right hon. Baronet in error—but the facts on which he had laid the most stress, and which made the greatest impression on the House on the last debate, were the enormous amount of the transactions of the London bankers, and the few cases of Forgery which occurred in them. The right hon. Baronet stated, that through the Clearing-house, during four days in March, no less than ten millions of money passed. The right hon. Baronet also stated, in conjunction with the enormous amount of business, that there were only four cases of Forgery prosecuted by the London bankers last year. Coupling this great amount of money transactions with the few prosecutions, he argued that the system worked well; that property was, in fact, protected, and the crime of Forgery prevented, by the severity of the law. The right hon. Baronet was not aware, he was sure, when he made this statement of the facts of the case, that this enormous sum of ten millions sterling all consisted of bankers' cheques, which were not liable to forgery, and which he might say it was almost impossible to forge. The House would see that this must be so the instant he mentioned it. In the City, it was well known, that the cheques of the bankers, exchanged at the Clearing-house, were not subject to this species of fraud. These cheques were generally drawn by some well-known persons, and the bankers on whom they were drawn did not pay them till the following day. In the first place, then, there was no chance of forgery, because the property passed through the Clearing-house consisted of cheques on bankers. In the next place, they were drawn generally by well-known persons; and in the third place, the amount of them was not paid till the following day. There was time to inquire into the validity of cheques before they were exchanged at the Clearing-house, and forgeries of them when they occurred, which was very rare, were always detected before the cheques went to the Clearing-house. But to remove all doubts on this head, he would read a letter which he had received from a person who, it would be admitted by all who knew him, was well qualified to give a correct opinion. It was signed Wm. Thomas, who was a well known bill-broker in Lombard-street. The writer stated, that he had been for the last thirty-nine years employed in the banking business; for twenty years he had been clerk in a banking-house, and for twelve years he had been Inspector of the Clearing-house. He stated, that while he was in these two situations he had never known a forged check paid in at the Clearing-house, and in his opinion it was not possible that the bankers should suffer from any forgery passed through the Clearing-house. At the Clearing-house, then, it was not possible that there should be any forgery. It was admitted by intelligent bankers, that they did not depend on the severity of the law, but on the means they employed of their own, for protection against forgery. Some bankers in Lombard-street would prosecute, and others would not; and it was a curious fact, which was well known, that the chief forgeries had taken place on those who would prosecute. The one class, relying on the severity of the law, do not take any means to protect themselves—the other class, knowing that the severity of the law is no protection, take means to defend their property against forgery. There was another curious fact he would mention. One banker had the courage to be examined before the committee to inquire into the Criminal Law, and he stated in evidence, that he would in no case prosecute for forgery. He felt that this was opening the door to fraud, and he was apprehensive that the banker would suffer from his statement. Ten years after giving this evidence, he had asked him if he had suffered from the evidence he had given? The answer was, that he had not met with one case of forgery, and had not paid one forged cheque. He considered himself out of the pale of the law, and had taken precautions sufficient to defend his property from the attacks of the forgers. Another fact on which the right hon. Baronet had laid great stress, was the great amount of business transacted by the Bank of England. He had spoken of the great sums it had in circulation, amounting to upwards of 25,000,000*l.*, and of the vast number of accounts kept there, and he had added, that during the present year there had been only two forgeries committed on that great corporation. He did not at all doubt the fact—that he was ready to admit—but he could not agree to the inference the right hon. Baronet had drawn. He had stated this vast amount of property in conjunction with few cases of crime, to prove that the operation of the law was beneficial, and that this obvious protection of property was caused by the severity of the law. If it were admitted that the severity of the law operated to produce this protection, the argument would be successful. If it could be shown that the rarity of prosecutions arose from other circumstances, this argument would fall to the ground. If the severity of the law in its operation had brought about this result, that severity must have had the same operation at all times. It should have had the same effect ten years ago as now. Since that time the small notes have been withdrawn from circulation. What was the effect of the severity of the law when they were in circulation? Not only did it not prevent the commission of forgery, but that crime was committed almost with impunity. There were some curious facts, however, on this subject, which were well known, and were deserving of the attention of the House. During the year 1817, there were no less than 31,180 forged Bank-notes presented at the Bank of England; 31,180 capital crimes were committed, and committed, in a great measure, with impunity. That statement shewed, then, that the Bank of England was protected, not by the severity of the law, but by the withdrawal of the *1l.* and *2l.* Bank-notes. Another curious circumstance which this illustrated was the chance of escape. In general this could be only vaguely stated, and could not be determined with any precision; but in this case the circumstances were known. He would state the facts. The number of capital crimes was then 31,180. Of these 142 were prosecuted, 60 convicted, and 14 executed; showing that it was 200 to 1 that the crime would not be prosecuted, 500 to 1 that it would not be convicted, and 2,000 to 1 that the person who committed it would not be executed. This example shewed that the severity of the law produced immunity, and encouraged the commission of the crime. There was another fact which he would bring before the House, which was, in his mind, more conclusive, and had been sufficient to banish doubt from his mind, whenever anything had happened to unsettle his judgment, and convinced him that capital punishment was not necessary. What was the point at issue? The argument urged in favour of capital punishment was, that it protected property by its extreme severity. He would banish from his mind all notion of the unfitness of the punishment, and of its disproportion to the offence. He would say nothing of the right of the Legislature to inflict death, though he must own it was a point on which he felt strongly, he agreeing with the language of the petition he had presented, which said "that the Creator, the Lord and Giver of Life, had not given to any Monarch or Legislature, however legitimate, wise, or powerful, the right to exercise unlimited discretion, and inflict the punishment of death for every offence it might think fit." He did not intend to appeal to any feelings, to any sentiments, he would grant for the sake of argument that property must be protected at the expense of justice and compassion and at all hazards. Putting out of view the precepts of humanity and religion, he would put the question at issue on the fact, whether the extreme rigour of the law had the effect of repressing crime and protecting property? There were some facts to which he would call the attention of the House. A few years ago the Legislature had acted at the same time in two opposite directions. In the one case it had made a crime which had before been punished with fine and imprisonment a capital felony; in the other, a crime that was before punishable with death, was, about the same time, ordered to be only punished with transportation. He meant to call on the House to consider the consequence of these changes. The one case was for the protection of the Excise. By some omission or other of the Legislature, the forging of stamps under the Excise-laws was only subject to fine and imprisonment; and when that omission was discovered, it was made punishable with death. What was the effect? Mr. Carr, the Solicitor to the Excise, was examined before the Committee of 1819, and he was asked what had been the result of the alteration, and if the measure had answered expectations? The reply was "No, we were better off as we were before; the increased rigour of the law has been a change for the worse. We were better protected by the former lenity than by the present rigour; and fraudulent practices against the Revenue have increased." The other case was the law relating to bleaching grounds. In many cases, where the severity of the punishment had been remitted, the frequency of the crime had fallen off in a proportion to that remission. In the case of the linen bleachers of the North of Ireland that effect was most remarkable. The linen bleachers, suffering from a long course of depredations, applied to the Legislature for a diminution of the punishment inflicted on those guilty of stealing in bleaching-grounds. The Legislature gave them the boon they required; and what was the consequence? Why, that the crime had not increased, and that the number of convictions had increased. He had received but the other day a communication from a gentleman in one of the counties of Ulster, which placed this fact in a remarkable point of view. That gentleman took two periods of years from 1820 to 1829. In the first five years, when the punishment was death, there were sixty-one commitments for offence. In the next four, when the punishment was transportation, there were thirty-seven commitments. The right hon. Baronet (Sir R. Peel) seemed, with some justice, to consider the convictions as a better criterion in these cases than the commitments. Now the return to that subject was more curious still. Of the sixty-one commitments there were only three convictions; of the thirty-seven commitments there were seventeen convictions, making just one-half the proportion of the convictions to the commitments, when people were brought to prosecute in the certainty that the capital part of the punishment would not be inflicted. He thought this decisive of the preference of a mild to a severe punishment; and the only question was, why it could be contended that the Bankers were not entitled to the same favour as that extended to the other classes of the community. The petition of the Bankers of England had been already read to the House; but this petition, signed by 1,000 bankers, was so important, that he could not refrain from quoting a passage of it:—"Your petitioners find by experience, that the penalty of death prevents the punishment of crime, and injures the property it was intended to protect." The hon. Member then stated, that he had received a variety of letters from bankers throughout the country, which he had intended to read, but they were too numerous. All complained that the right hon. Gentleman opposite (Sir R. Peel) had not gone far enough; that he could not be acquainted with the situation of bankers in the country; that forgeries were committed on them with impunity, for those who were forged upon would not prosecute; whereas, if the penalty were less than death, no consideration of trouble, of expense, or of inconvenience, would prevent them from prosecuting to conviction. One of them said, "I know of innumerable cases in which parties have refused to prosecute," so that nothing surprised him (Mr. Buxton) more than to see, notwithstanding this repugnance, the number of prosecutions. Many of the parties to whom he referred complained of the language he had used on a former occasion, and that he had appeared to give his approbation to the course which had been pursued by the right hon. Secretary. He had certainly given that support because he felt that it was deserved. The right hon. Gentleman had been a very active reformer of the criminal law, and had cleared our Statute-book of a mass of ancient rubbish. In one of his speeches, the right hon. Gentleman had described our criminal law as the most sanguinary in the world; and he had observed, "I have been the instrument in many cases of mitigating the severity of the law, and I can assure the House that in no instance has any obstruction to justice arisen from such mitigation." He was now obliged to admit that the right hon. Gentleman's speech and his bill were at variance, as appeared evident to himself, for he had made an apology for not going further, by saying that the public were not yet ripe for the improvement. But the public were now fully ripe; the bankers had come forward and said, "Give us the protection which would result from a milder law." Then he hoped that the right hon. Gentleman would consent to the reformation of his own bill, and would raise it to what he (Mr. Buxton) believed to be his own principle, as well as to what had been asked by the bankers of the country.

Mr. *Lennard* was acquainted with many bankers, and had received many letters, all agreeing in the sentiments contained in the letters referred to by the hon. Member (Mr. Buxton). There was one case of a banker who had been often forged upon, and he had paid the bills out of his own pocket rather than suffer the offenders to be prosecuted. In another case, a banker had been forged upon twenty or thirty times, by the same individual, but in consequence of the severity of the law, he had refused to take any measures against him. There never was a case more completely made out than that of the unwillingness of the public that this severe law should continue in force. The feeling had been entirely on one side, for whilst the Table had been loaded with petitions against the continuance of the existing law, not a single petition had been presented in its favour. The expression had not been confined to any particular class; it had proceeded from every class; and if hon. Members would take a map of England, he would defy them to put their finger upon any place from which a petition had not come. The public feeling was even stronger than had been expressed. Many persons engaged in trade had abstained from avowing their sentiments, for fear that the knowledge of their unwillingness to prosecute would leave their property without any protection. An attorney in the country had informed him, that he had several clients who had been forged upon, who refused to prosecute; but they declined appearing as petitioners to the House, lest they might expose their property to depredation. With respect to the Bill, he admitted that it had some merit as being a good digest of the law of forgery; but as a practical mitigation of the law, it was of no value whatever. It was only necessary to look into other countries—France, for instance: hardly any instance took place there of the punishment of death for such a crime. Let a forged Bank of England note be passed in France, the utmost punishment would be branding and the galleys for five years. But if a forged note of France be uttered here, we put the criminal to death. Might it not be better to try the system of the latter country? Forgery was only a species of robbery, and to punish it with such severity was to confound the distinctions of guilt. The doctrine he held was no novelty; it was inculcated in one of our oldest Statutes—a Statute of Henry 8th. Some allusion had been made on a former night to the expense of prosecutions. Let the right hon. Gentleman appoint a public prosecutor, or adopt any other expedient to obviate the evil; but unless it were accompanied by some mitigation of the criminal law, his reform would not be effectual.

The *Solicitor General* began by complaining that the hon. member for Weymouth had strained facts and drawn exaggerated conclusions not warranted by the facts. Every man, both in the House and out of it, must be so anxious not to impose the slightest unnecessary punishment, that it seemed invidious for a person to advocate the continuance of the law as it stood. It might be imagined that his right hon. friend had proposed to extend the punishment of forgery instead of diminishing it. If he had come down and taken away the capital punishment for any such offence, that would have been treated as a great boon; but as the Bill was a consolidation of the laws regarding forgery, it seemed to be regarded as an increase of the punishment. But he would call the attention of the House to one clause in the Bill, which abolished capital punishment for forging deeds. He thought that a dangerous alteration; but his right hon. friend thought otherwise, and had inserted the clause. In advocating the law as it stood, he had the satisfaction of thinking that he was contributing to deter persons from the commission of crime, and doing what was just and right, in protecting the property of those on whom forgery was committed. The Legislature ought not to reserve all its tenderness for the offender; some should be shown towards those who suffered from his crime. The number and description of persons who committed the offence went a long way to justify the law. These persons were always men of education, and they calculated on the probability of escaping with impunity. They were generally persons deeply in the confidence, and familiar with the habits of business and mode of writing of those on whom they forged. Looking, therefore, at the description of persons who committed the offence, and at the means and opportunities they had of committing it, if the punishment of death were justifiable by the laws of God and man, it was justifiable in reference to this crime. Some of those who opposed the application of this punishment to forgery, were opposed to capital punishment altogether. There could be no doubt that that respectable body, the Quakers, had set their mind upon doing away with the penalty of death for forgery; but they were also prepared for abolishing it as the punishment for every other offence. Was the country prepared for this? Was it prepared to bring our criminal code down to the level of the opinions of that respectable body? Because they had prejudices upon this point, were the people therefore to have this protection taken from them? As to the petitions being all on one side, the reason was, that all the activity had been on one side, and none on the other. All this activity had arisen from the Quakers; but the opinions held by that respectable body on this subject he could not hold. He must say, that he thought the appalling punishment of death, executed as it was with so much ignominy in the public streets, where criminals were suspended before a gazing populace, was greatly calculated to deter men from the commission of crime. He had not, however, understood his right hon. friend to bind himself not to extend the lesser punishment to other cases than were included in this Bill; all he had understood his right hon. friend to say was, that they must proceed with caution. He saw no secondary punishment which could be expected to act so strongly for the prevention of crime as the greater punishment. His hon. and learned friend opposite (Mr. Brougham) had said, that out of 117 convictions, the punishment of death had been inflicted only in twenty-four cases; but he did not think that the argument his learned friend had drawn from this was a legitimate one; for although the secondary punishment was here inflicted upon so many, and the capital punishment on so few, yet the terror of the greater punishment hung over all. He did not think that, although the chances might be nine or ten to one against a man being hanged, the man would have the less terror of that punishment. It was the greatest of all punishments, and the uncertainty attending the infliction of it did not lessen the fear of it, much less could the chances of nine or ten to one have that effect. From the conduct of the present Government there ought to result the greatest confidence that the utmost penalty of the law would only be carried into effect in cases which required it. If they took a secondary punishment, it must be the *maximum* of punishment, and then they would find it necessary to relax again; for few men would agree that, in every case, the *maximum* of punishment, whatever that *maximum* might be, should be inflicted. They had now secondary punishments for cases which required such punishments, and they had also the penalty of death for extreme cases. If they were to mitigate the law, as now proposed, they would still have to contend with public sympathy, and as there were already persons too conscientious to prosecute, because the penalty of the offence might be death, so they would have others refuse to prosecute because the punishment might still be greater than, in their opinion, the offence deserved. For his own part, he should not now, and much less if the punishment were mitigated, have any hesitation in prosecuting for such an offence; yet they had seen that others were actuated by a different feeling. Such were the Quakers, and other conscientious persons, who could not bring themselves to prosecute for cases to which the penalty of death was attached; but, as he had before observed, it was impossible to tell how far the scruples of persons might be carried, even though other punishments should be substituted for that of death.

Mr. *Macauley* said, that on a former occasion the right hon. Secretary had declared this to be no party or political question, and had assured them that he did not consider it to be a question on which the supporters of Government were expected to vote in favour of the Bill. If this assurance were sincerely given, he must say that the decision of the former evening was a matter of astonishment to him, for he thought the question must have prevailed if it had been left to stand or fall by its own merits. To-night, however, that assurance would be put to the test; and if the question were lost, he confessed that he should find it very difficult to believe that ministerial influence had not contributed to the defeat. In advocating the mitigation of this part of our criminal code, he begged leave to say, that he proceeded not upon considerations of humanity, and that he did not participate in that conscientious feeling which prevented some persons from consenting to the infliction of the punishment of death. But while he disclaimed this compassionate sentimentality, allow him to say, that it was far more creditable than the vindictive sentimentality of the learned Solicitor General, who had condemned even some of the mitigations of punishment contained in the Bill of the right hon. Secretary. He admitted that, for certain cases of forgery, involving breach of trust, and the ruin of widows and orphans, no punishment was too severe. They might deserve roasting at a slow fire, but such individual cases ought not to determine the Legislature to make a general law; neither would it be right with compassionating sentimentality to follow the criminal into the condemned cell, and see him horror-stricken at the fate which awaited him. That would be as improper a basis for Legislation, as pointing to an individual who had beggared numerous families, and defrauded all who trusted him. The vote he should that night give would be founded on no such grounds, but upon the conviction, that if they meant the law to be executed, they must mitigate the severity of it. They could not punish forgery with death, and it was vain for them to flatter themselves that they could. They might bring in a paper called a bill; they might read it three times; they might send it up to the Lords, who might agree to it, and read it three times also; it might receive the Royal assent; it might be sent to the King's printer, and be placed among the rest of the Statutes—and then they might say that they had made a law which would punish forgery by death. But if they said so, they deceived themselves,—for they would only have added another to the number of those pages in our Statute-book which were the scorn of criminals, and the disgust of sober men—mere abortions of laws, which were dead before they were born. To make it a law they must get it acted upon; but this, it had been seen, was beyond their power. In the first place, men would not prosecute. It had been said, that the Bank of England always prosecuted, and doubtless that was true; but then the Bank was a corporation, and Lord Coke told them that a corporation had no soul. The question was, would individual members of society prosecute? Experience had shewn that they would not. The right hon. Secretary, indeed, had said that the Bank prosecutions were a fair measure of the number of prosecutions generally; but as it appeared to him, the contrary was true; for the Bank prosecuted in every case, and for this very reason, therefore, its prosecutions could not be taken as a fair measure of the whole. The right hon. Secretary had admitted that a disinclination to prosecute did exist, and while the right hon. Gentleman gave to some the credit of acting upon conscientious feelings, he said that many were hypocrites, and that they made their consciences a stalking-horse to cover their real motives, which were to save the expenses of a prosecution. Now this, instead of being an argument against the mitigation of punishment, appeared to him to constitute of itself one of the great abuses of the present system; it gave people an excuse which was universally admitted to be good in the case of forgery, but which would be at once laughed at if it were put forward in cases of arson or murder; and if there were as much of this counterfeit coin abroad as the right hon. Gentleman supposed there was, it was a proof that much sterling Currency must exist, or the former could never circulate. But, suppose they got a prosecutor, then the case went before the Grand Jury, where bills, though supported by the clearest evidence, were constantly thrown out. It was only the other day that Mr. Hobler said this repeatedly occurred. However, let the Grand Jury find a true bill, then it went down to Court with the names of reluctant witnesses on its back, and what reception it met with in its next stage he need hardly remind the House. By the last papers connected with this subject which had been laid upon the Table, it appeared that during the nine years, ending 1828, there had been 708 persons committed on the capital charge of forgery, and that, out of these, no less than 334 had got off before the Grand Jury; while, out of 558 who had been committed on the minor charge, not capital, only fifty-seven had got off before the Grand Jury. The learned Solicitor General told them that, with regard to the punishment of death, the diminution of the chances did not diminish the fear; but allow him to tell the learned Gentleman, that the chance even of death might be reduced so low that the fear of death would have very little weight. Besides, men saw these chances differently; for instance, there was scarcely a gentleman in Westminster-hall who would refuse to go out as a judge to Bombay, and a man who could not muster up courage enough to fight a duel would forge you half a dozen acceptances in no time. Yet the climate of Bombay had been fatal to very many, and there was more danger in forging than in fighting duels. But the objection to the law was, as he had before stated, that it could not be executed. The judges, the juries, the witnesses, ay, and even the Secretary of State, too, were against it; for whatever ground the Secretary of State might take in that House, it had been shown that only one-ninth of the persons convicted had been executed. And yet this was an argument in favour of the existing law, both with the right hon. Gentleman and with the learned Solicitor General. The latter too thought that the ignominy of the punishment was not without most salutary effects; but when the drop fell, amidst cries of "shame" and "murder," all horror of the crime, all dread of the punishment was lost in disgust at the exhibition. To show to what extent this sympathy was carried, let him remind the House that, in the case of Mr. Fauntleroy, the case which was so often quoted against them, a petition, praying that the life of that man might be spared, was signed by no less than 8,000 persons. Now the case of Mr. Fauntleroy was, one would imagine, the strongest possible. The sympathy that it excited was, therefore, the more remarkable evidence of the opinions of the people with regard to capital punishments for forgery. Whatever punishment the offences of Mr. Fauntleroy might have been thought to have deserved—(some might think he deserved to be put to torture, or to be roasted by a slow fire, or to be broken on the wheel, and left to die of thirst)—yet that was not the way in which legislators ought to look at crime. The opinion of the people ought to regulate the measure of punishment. See what that opinion was, and to what measures it carried men. Juries and witnesses constantly acted in violation of the oath they had taken. He did not mean to say that such juries and such witnesses were not guilty of a great moral offence; but was he, while he admitted this, to acquit those from whom the offence came? He would not defend this conduct in juries, but, at the same time, far be it from him to defend the constructors of the law. If juries had become legislators in this respect, let the blame of so great an inconvenience rest on the heads of Ministers, who had forced men to choose between perjury and what they considered bloodguiltiness. They were teaching the people to look to juries for that laxity which, if it should become common, would be one of the greatest curses that could befall the country—a curse, however, which they could not avert, if they persisted in making popular tribunals administer unpopular laws. The knowledge and the extent of this evil might be shortly illustrated by an occurrence which took place the other day. In a prosecution of this nature, the counsel for the Crown rose and intimated to the jury that they need not be afraid of convicting the prisoners, for, though it was a capital offence, yet it was not probable the men would be hanged. The counsel on the other side said, and said very properly, that his learned friend had no right to take such a course with the jury. This occurrence showed the state to which things had arrived; the feeling of juries on these subjects were notorious, as indeed, how could it be otherwise, when they, answerable to no one, had so frequently proved that they would commit perjury and become legislators themselves rather than do the bloody drudgery which those who alone ought to legislate, thought fit to put upon them? Of this feeling it might be said, as the old chemists said of water, that it is incompressible; they might multiply restraints upon restraints, but still it would have vent, it would burst through every crevice, and ooze out at every pore. The ancient principle of legislation, which experience had proved to be utterly fallacious, was, that the more severe the law, the more effective it would be. By acting on this principle they had made the people combine to cheat the Custom-house, and they were now making juries combine to cheat the gallows. The Commons often found themselves situated with respect to the Upper House as they now found themselves situated with respect to their constituents. They passed a bill, and sent it up to the Lords, where amendments were made which were not liked by those with whom the bill originated; but the bill, with its amendments, was accepted, because such an Act was preferable to none at all, or such an alteration better than the existing law. Let them pursue the same course on the present occasion towards their constituents, whose voice was quite as powerful, though not so efficiently expressed, as the voice of the Lords. Their constituents had sent back to them the law which had been passed on this subject; they had now a favourable opportunity of re-considering it, and he did implore the House—not on considerations of humanity, but as they valued that commerce, the protection of which they professed to have so much at heart—to remove from the Statute-books those enactments which were a disgust to those who did well, and a laughing-stock to evil doers.

Mr. *Cripps* said, that he perfectly concurred with those who looked upon this question as one stripped of all party and political considerations. For his own part he considered it purely on its own merits. He had presented three petitions from his constituents against the bill of the right hon. Secretary; but he had told his constituents that his own opinion did not coincide with theirs. In opposing the views of his constituents he knew that he ran a very great risk, and particularly at this time, but he thought that all who knew him would acquit him of giving his vote on this occasion because he wished to support the Government. He gave his word and honour that he did not vote for the Bill because he wished to support

Ministers, but really and honestly because he thought it necessary to retain this punishment. He had examined the right hon. Home Secretary's Bill, and the right hon. member for Knaresborough's Clause, with his best attention, and the result at which he arrived was, that the Bill sufficiently discriminated between those cases to which the extreme penalty of the law should or should not apply, and that the clause provided no valid substitute for the punishment of death in the more aggravated cases of forgery. He therefore should vote for the Bill, which indeed he thought more decidedly based on principles of clemency than the proposition for commuting the punishment of death to fourteen years' transportation, with a previous long solitary confinement.

Sir *C. Wetherell* was one of those who meant to vote for the right hon. Home Secretary's Bill, and he should do so without any fear of the imputation of being enrolled among those who, it had been said, were biassed in their votes by the political influence of the right hon. Gentleman. Such an imputation was most unfounded, he would say, when the conscientious characters of many of those who had voted on a former occasion, and probably would vote that evening with the right hon. Gentleman, was taken into consideration. That bill was in the spirit of moderate reform, which characterised the several improvements in our laws, of which the right hon. Home Secretary had been the official instrument, and as such was entitled to the support of every hon. Member who had voted for those improvements. He was aware that many of those who were most eager to see his right hon. friend's clause adopted professed to set little value on the measures for the improvement of the administration of justice to which he had just alluded, on the ground that they did not go far enough. The hon. member for Weymouth (Mr. F. Buxton), for example, seemed to consider them to be nothing more than a kind of small-beer reform, and that nothing had been done since the punishment of death was inflictable for other crimes than murder, for such, in fact, would be the effect of his right hon. friend's clause, if adopted. Now this was a subject on which he had bestowed more than ordinary consideration. He knew that many, he was free to admit, conscientious, theoretical sentimentalists, had maintained that because in Revelation punishment of death was not declared against any crime but murder, that therefore it would be immoral, illegal, and irreligious, to inflict it for robbery, or any modification of the crime of property-spoliation. Such, however, was not the opinion of Paley, or Kippis, or Blackstone, or any other high authority in the ethics of jurisprudence. They maintained, in his mind soundly, that it did not follow, that because death was not enjoined in the Scriptures as the punishment of any crime except murder, that therefore its being extended in the progress of society to other offences was not consonant nor congruous with the divine law. For what would be the consequence of following up the theoretical principles of the class of sentimentalists to their legitimate and logically consistent extent, unless to disarm Government of its powers, by doing away with all the principles and institutions of criminal law? ["*No.*"] He said yes; for did not the class to which he had alluded not only maintain that punishment by death was immoral, illegal, and irreligious, but also maintain, and, what was more, acted upon, the principle that all litigation was unrighteous? ["*No, no,*" *from Dr. Lushington.*] He repeated, nothwithstanding the civilian "no" which had reached his ear, that the class of sentimentalists to which he had referred, did maintain and act upon these principles, and therefore could not, in consistency, be content till there ceased to be any punishment at all. When did the hon. and learned civilian see a Quaker a suitor in Doctors' Commons, or in any Courts of Common Law? But, to return to his right hon. friend's clause. He felt in relation to that clause precisely as the hon. member for Callington had on a former occasion described himself to feel—that is, he would willingly support its adoption, were it first made clear to him that it provided a *bona fide* substitute for the punishment of death. But it did no such thing; and while it went to take away every existing scheme of vengeance which the present law sanctioned, it provided no substitute in its stead. What did the clause propose? Why, that the crime of forgery should be punished — instead of by hanging in any case—either by fourteen years' solitary confinement, or by fourteen years' transportation, or by both, according to circumstances. With respect to the first of these propositions, it appeared to him a sufficient answer to repeat what had been said on a former occasion. It was no punishment at all in cases of large forgery spoliations, for what was there to prevent the convict criminal from carry out with him the money in gold which he had defrauded some person of, and thus rendering punishment by transportation a perfect moçkery of legal revenge? Then with respect to the fourteen years' solitary confinement proposition, he should like to know whether public feeling, of which so much had been said, as being scared by the spectacle of executions for forgery, would not be still more scared by the sight of the misery of the slow, tedious, wearing, energy-consuming, punishment of solitary confinement? Would it not be, in fact, generally felt that that species of punishment was actually more severe than the punishment of death? He maintained it was, and that the existing law was far more merciful in its tendency than such a proposition. Then with respect to the third remedy of his right hon. friend—the transportation after solitary confinement—all he should say was, that every objection to either punishment singly, applied *a fortiori* to their union. What would be its effect? Why, justly to make forgery-criminals the objects of public pity much more than their execution at present. Was a criminal, after his fourteen years' solitary confinement, with hard tread-mill labour, by which it might be thought he had expiated his offence, had in fact become an *emeritus* of his prison, and therefore unrestrained by its regulations, was he to be debarred from leaving that prison, and told "now your fourteen years' transportation commences?" That would indeed be a pretty postscript to the long letter of objurgation which the right hon. Gentleman proposed first to send to the criminal. Punishment of death would be much more humane treatment. He knew that the opinion that punishment by death was as impolitic as it was cruel, in offences against property, was daily making way, was creeping over the face of public opinion. Still he was not a convert to it, and yet he would venture to say, though not a Quaker, that he felt as warmly and as deeply for the sufferings of his fellow-creatures as any theoretical sentimentalist of them all. But his was no bastard inconsistent sympathy; he was for no pseudo-morality—no small-beer relaxation of the sternness of criminal jurisprudence. He should like to know from some of the sentimental theorists how they reconciled the consistency of abolishing punishment of death in cases of forgery, with their keeping it in force for highway-robbery or spoliation of property? Surely, if it was objectionable in the one instance, it was at least equally so in the other case. If they believed their principle to be good, they should, in consistency, extend it to all offences against property besides forgery. Indeed, he thought forgery, in nine cases out of ten, to be a much more aggravated crime than the majority of robbery cases that called down the severity of the law; for the former was a deliberate, methodical, concerted violation of law, by persons generally of education and less pressed by want of the necessities of nature, while the latter were too often the *pro re nata* offspring of want or drunkenness, or the influence of bad associates. The hon. and learned Gentleman proceeded to argue, in answer to the hon. member for Calne, that there were two classes of forgery-criminals—one in which there was a breach of trust, and one in which there was no such breach — between whom the Bill before the House drew a very proper line of distinction. The hon. Member had alluded to the case of Fauntleroy, and had admitted that not only it was not too severely punished, but that ingenuity might, he thought, have been exercised in devising some fitting torture for that black criminal. Now, was it not strangely inconsistent in the hon. Gentleman to make such an admission, and yet contend that the clause should be adopted without any qualifying exception? How was he to provide punishment for other Fauntleroys? How could such an exception to the principle of the clause be reconciled with the required practical congruity and practical symmetry, and even the theoretical homogeneity, of the law?

Mr. *H. Gurney* should vote for the Amendment. If that were lost, and the punishment of death retained, he hoped some distinction would be made between those great forgeries which shook the very foundation of property, and those minor forgeries that were mere pecuniary frauds. The former might be punished with death; the latter, the people never would prosecute.

Sir *Robert Peel* said, that he would at once approach that point which, after all, was the main argument for the remission of the punishment of death in cases of forgery namely, that the law, as it now existed, afforded no protection to property; but that if they remitted the punishment of death in such cases, a new protection to property would be thereby created. If this position were established by sound argument, it would unquestionably have more force with him than all the declamation which he had heard on this subject, during the present as well as on a former evening. But he would ask, if the punishment of death did not deter from the crime of forgery, why did the right hon. and learned Gentleman admit the propriety of retaining that punishment in one particular case, that of forging a will? If the right hon. and learned Gentleman really thought that, by remitting the punishment of death, he gave additional security to property, why did he retain that punishment in this instance? The right hon. and learned Gentleman said, that he would not, to-night, go so far as he had formerly done; and then, with what appeared to him to be a great inconsistency, he proposed that the punishment of death for forgery should be abolished in all cases except where the forgery of a will took place. The hon. member for Weymouth stated, that he would not support the proposition of the right hon. and learned Gentleman on any religious or conscientious scruple which he might himself entertain, but that he would defend it on the ground of its giving a new security and protection to property. Now, he would again state that which he had stated the other night, that it would, in his opinion, have precisely the contrary effect. If he were to look confidently forward to his continuing to hold the office of Secretary of State, he could assure those who advocated the proposition of the right hon. and learned Gentleman, that nothing would be more agreeable to him than to agree to a commutation of punishment, if he could bring himself to believe that it would be attended with beneficial effects. It would unquestionably free him from many very painful applications. In arguing this question, he relied entirely on facts connected with the mercantile concerns of this city, and to these facts the House, in his opinion, ought to attach very great weight. He particularly selected the case of the London bankers, and of the Bank of England. He, however, formerly declared, and he now repeated, that he did not mean to retain this punishment merely on account of the pecuniary interests of the London bankers or of the Bank of England, but because he felt that the general interests of the public were deeply concerned. In treating this question formerly, he had found it necessary to advert to the London bankers; and he had first stated the immense extent of their business. He had shown that thirty-six banking establishments (forming the Bankers' Committee for prosecuting forgeries) had, in the course of three days, in the month of May, transacted business to the amount of 10,000,000*l.* That fact, which he then stated, and which appeared at the time to have astonished some Gentlemen, he now confidently repeated. He had also stated to the House, that four private banking-houses in London had, in the course of a year, transacted business to the amount of 500,000,000*l.* But then he was told that, as all the drafts and Bills of Exchange must go through the Clearing-house, an effectual security against forgery was thus created. Therefore, the right hon. and learned Gentleman argued that they ought to deduct from the securities which were liable to forgery, that they ought to deduct from the general account, all notes and draughts which went through the Clearing-house. Now, he differed entirely from those who advanced this as a valid argument. He would contend that the Clearing-house was not an effectual security against forgery. He would contend that the right hon. and learned Gentleman, and not himself was mistaken as to facts. He said that the banker was not called on to pay on the day when the instrument was presented, and that therefore he had an opportunity of ascertaining its authenticity. But, notwithstanding this, the fact was, and he knew it, that forgeries had on many occasions passed the Clearing-house. A recent forgery for 500*l.* on Messrs. Rothschild, did actually pass through the Clearing-house. When a London banker received a bill, he had, no doubt, a day to ascertain its correctness; but the fact was, that such skill was evinced in the perpetration of forgery, that the fraud could not in many cases be discovered without a perpetual reference to the party named in the instrument. Why, it was but the other day that a woman brought forward documents signed, as it appeared, by Mr. Dunning, Lord Chatham, and he knew not by whom else. Now, he had no doubt that those signatures, though well executed, were not real; and if signatures were artfully traced, as he believed those to have been, how, except by personal reference, could the forgery be detected? Therefore he would say, that the argument founded on the Clearing-house was not worth any thing; but that the fear of the punishment of death did deter from the commission of this crime was evident from the fact, that though business had been transacted, in three days, at the counters of the banking establishments, to which he had referred, to the amount of 4,795,000*l.*, there were, in the course of the present year, but four forgeries committed on them, and the amount was only 400*l.* With respect to the Bank of England, where an immense amount of business was necessarily transacted, they had only instituted three prosecutions for forgery in the last Assizes, and in the present there was not one name recorded, in England or Wales, for forgery on that establishment. The right hon. and learned Gentleman had said, that the Bank of England was an unflinching prosecutor, when it was supposed that the prosecution would serve its interest; but that it was always guided by its legal advisers, who never urged a prosecution, except where conviction was sure to follow, and that, therefore, many cases of forgery might occur, which, being abandoned, were unknown to the public. Now, he had sent to the Bank of England for a return, specifying the entire extent of forgeries of which that body had received notice during the years 1827, 1828, and 1829. He did not call for a mere return of forgeries that were prosecuted, but for a full return of the forgeries attempted on the Bank of England, whether they succeeded or not, and what was the result? In 1827 the total amount of forgeries on the Bank of England was 2,107*l.*; in 1828, the total amount, under the existing law, was 197*l.*; in 1829, a Magistrate of the county of York forged three powers of attorney to the amount of 6,500*l.*; he, however, not placing much confidence in the unwillingness of juries to convict, left the country the moment he had received the money: but exclusive of that particular forgery, the sum of which it was attempted to defraud the Bank of England by false instruments, in 1829, amounted only to 378*l.* Could it, he would ask, be argued, after this was made known, that the present state of the law afforded no protection to property? The hon. member for Calne argued, that the Bank of England, being a rigorous and inexorable prosecutor, thereby secured its own property. But if Grand Juries were so very unwilling to find true bills in these cases, and if Petty Juries were so anxious not to convict, as the House had been told, how came it that the Bank of England commanded this protection for its property? The two arguments were completely opposed to each other. After all he had heard, his conscientious conviction was, that they would not be promoting the protection of property, or the cause of public morality, by substituting the punishment of transportation for the punishment of death. One punishment was privately mentioned to him as very proper to be resorted to in the case of forgery. It was suggested that the culprit should be branded, and thus held up to public disgrace. This, however, had been formerly tried, with reference to other offences, and it had failed. In 1669, in the reign of William and Mary, an Act was passed by which the perpetrators of burglary and larceny were directed to be punished by branding them on the face and hand; but six or seven years after, in the reign of Queen Anne, that Act was repealed, on the express ground that the offenders who were thus driven from society, instead of being in any degree reformed, became more desperate; and he was quite sure that any very severe secondary punishment, if substituted for death, would speedily be abolished. The French, he knew, had secondary punishments; but he was convinced, that if an individual here were to be condemned, as many were in France, to work for ten years on the public roads, dragging a cannon-ball at his feet, the Quakers, or the sentimentalists, as the hon. and learned Gentleman called them, would shudder at such a punishment, and would feel just as much reluctance to prosecute for the crime of forgery as they did at present on account of the infliction of death. Much had been said about France; but he must observe, that the punishment of death for forgery was not abolished in that country. The forgery of transfers of stock, or of any documents bearing the stamp of the government, was still subject to the punishment of death. Secondary punishments, though recognized by the law, were not at all popular there. The punishment of the *carcan*, for instance, was denounced as cruel and degrading. In taking the course which he felt it to be his duty to pursue, he was actuated by no other motive than the protection of property, and the repression of crime. If the House thought differently from him, he must bow to its decision; but, under all circumstances, he would act steadily upon the feelings and principles which a serious consideration of the subject had created.

Mr. *Brougham* said, he would follow the example of the right hon. Secretary, and address the House as briefly as possible. With that view he would throw away the shell and husk of the argument, and come at once to the kernel. He would strictly confine himself to what had been said in the course of the evening, and he would endeavour to state to the right hon. Secretary and the House the reasons why, unmoved by his argument and unconvinced by his inquiry into facts, he meant to support the proposition of his right hon. and learned friend. The right hon. Secretary argued, that great inconsistency was manifested by his right hon. and learned friend, because he had asserted that the punishment of death afforded no security against the commission of crime, and especially against the perpetration of forgery, and yet, in spite of this declaration, he was willing to continue that punishment where the forgery of a will took place: but did not the right hon. Secretary hear the grounds on which his right hon. and learned friend placed that exception? If he did, the right hon. Secretary must have seen that his right hon. and learned friend was not at all inconsistent. His right hon. and learned friend distinctly said—"I yield this point—I concede it—I am driven to it. My own opinion, and my own principle, I wish to carry to the utmost extent; but out of respect to others, from whom, however, I differ, I am willing to retain the punishment of death in this particular case." But looking at the matter in another point of view, it did appear to him that he conduct of his right hon. and learned friend was not so inconsistent as the right hon. Secretary seemed to suppose; because he believed that so much art, so much cunning, so much preparation, was necessary in completing the forgery of a will, that individuals in general looked upon that crime with very different feelings from those with which they viewed the forgery of a promissory note or of a draft for 4*l.* 10*s.* With respect to the right hon. Secretary's statement as to the business of the London bankers, neither his facts nor his arguments supported the case which he wished to defend. He had told the House that these bankers transacted business, in the course of three days, to the amount of 10,000,000*l.* in the Clearing-house, and 5,000,000*l.* at the counter. Now, this would undoubtedly give a gentleman an immense idea of the transactions which were going on every day they lived in this great capital; but when they came to look to the bearings of the case, they would find that the punishment of death did not afford security to those multifarious transfers of property. He would pledge himself to show, that all that the right hon. Secretary had advanced on this point was foreign to the question. The right hon. Secretary had argued, that the Clearing-house afforded no security against forgery. On this point he was decidedly at issue with the right hon. Secretary, and he was sure that any one who was acquainted with the nature of banking transactions, would agree with him, that the Clearing-house afforded very considerable security. The right hon. Gentleman had stated the fact of certain forged checks having successfully passed through the Clearing-house; but surely when it was considered to what an enormous extent pecuniary transactions were carried on; when the House reflected what traffic in such a great trading capital as London really was, it could scarcely be a matter of surprise that one or two forged checks should possibly have passsed through it and escaped detection. The forgery in the case of Rothschild, where by the rarest casualty the party had got a foreign bill of exchange, owed its success to the most singular and extraordinary combination of accidents imaginable. He should now beg leave to remind the House of one of the grounds upon which the right hon. Gentleman was generally believed to have founded his present measure with its provisions as it now stood.

He was stated to have conferred with a committee of London bankers, who were associated for mutual protection against forgery on their respective establishments, some of whom came to the right hon. Secretary in the greatest possible trepidation and alarm, so soon as they understood it to be his intention to remit capital punishments altogether. Their earnest representations that they should be left destitute of all protection whatever, if he persevered in his resolution, it was supposed had induced him to abandon his original determination, if such he had ever formed; and their alarm most assuredly was one of the principal motives which had incited him to adhere to his present imperfect measure. Thus, if he might use such an expression, there was at least a fact in the cause. But what if it should appear that two of those very gentlemen who were so sadly frightened at the probable total abolition of capital punishment, had themselves furnished a marvellous instance of the impolicy and inefficacy of a mere speculative theoretical "paper denouncement," as it was most properly called, within a few months,—or he might rather say, weeks—from the hour at which he was speaking! What if it had so happened, that those who had so unintermittingly besieged the Home Office had been forged on themselves,—had had evidence amply sufficient for conviction in their power,—had had the detected forger within their very grasp—and had, notwithstanding, suffered him to escape altogether rather than have recourse to the capital remedy! Here was a notable example in illustration of the fact, that the best security to the property of the banker, in his own deliberate opinion, was the absence of capital punishment, and he mentioned it the rather because the right hon. Secretary thought facts were to be preferred to mere declamation. The information was communicated to him, not indeed on the authority of the parties themselves, but had been attested by those whose knowledge of what they stated was to his mind as satisfactorily established. Here was a committee sitting for self-protection against fraud, whose experience was quoted as unfavourable to the removal of capital punishment; but he would ask, did the opinion of their chairman himself correspond with what they had heard of the committee? What was the language of the hon. member for Tewkesbury? (Mr. Martin). He was a practical man, a man of business and experience; no sentimentalist, no "Quaker,"—for that was the term by which all the advocates for the abolition of an impolitic severity were sneeringly designated. What was his declared opinion as the representative of that committee in the House? Why, he avowed there, not in the Home Office, that he had been brought to view the subject in the same light with themselves—that his opinion had undergone a change,—that he was unfavourable to the continuance of this punishment in any case of forgery whatever. This, he could not help thinking, ought to put an end at once to the whole argument. They had first, the actual practice of two out of four of the committee who were seized with such a panic when the reform began to be mooted; they had, secondly, the personal authority of their chairman himself; and thirdly, not less than four committee-men had attached their signatures to a petition in conformity with the same opinion which had been already presented to the House. Then with respect to the country bankers, who were all apparently very much exposed to forgery, as they were so much in the habit of receiving small bills in the ordinary course of their business, had not the whole body called on the House, as with a single voice, urging the expediency of such a change as he and those who thought with him would have proposed? His learned friend, the Solicitor General, had animadverted on what he was pleased to term the sentimental reformers, who pressed Government to carry the contemplated change of policy to its full extent, professing to believe that the petition had been got up by Quakers; but this notion, he could assure him, was widely remote from the truth. It was not got up by that most amiable, intelligent, and respectable body, nor was it signed by them; but he was far from denying that they had very much interested themselves in the success of a cause which it was creditable to their humanity to have embraced. He should feel proud to be the first on all occasions to render homage to their practical knowledge of business, their disinterested philanthropy, and untameable perseverance; and he cheerfully confessed, if they would permit him to adopt a phrase generally employed in connexion with military glory, —a paltry criminal glory which they deservedly despised—he cheerfully confessed, he repeated, that they had now added a new wreath to the garland of honour to which their exertions against African and West-Indian slavery had so justly entitled them. On this occasion, however, they had merely been active in putting the question in a fair point of view before the country bankers, whom they had solicited to record their opinion on a subject of such importance and interest to themselves. This was all that had been done by the Quakers, and it was on all hands agreed that that body would have refused, one and all, to interest themselves further in the matter, or sign a single name to a petition to that House, had the country bankers, to whom they applied, thought proper to differ from them in opinion. The results, however, proved to be directly the reverse, as the entire mass of the banking community soon participated in their views and seconded their efforts. Was a banker, he put it to the House, the man who would be the least likely to attach importance to his signature? Would he be readily induced to append it to a document to which he was desired to affix it, by being merely told, "here is a petition that only relates to banks, bills of exchange, promissory notes, cheques, drafts, forgery, and such matters, in which you can have but little interest; put your name to it?" Was it necessary to say that he assuredly would not? Yet had 733 bankers been induced to petition the House for a total abolition of the punishment of death in cases of forgery. Besides, he was perfectly warranted in assuming that these signatures represented the whole body, as he might remind the House that not even one had been presented on the other side. It had been alleged that the number of offences against the Bank of England had diminished; but in order to establish this assertion it would be necessary to prove a great deal more than had been made out, for an apparent diminution could be very easily accounted for by the late extinction of the 1*l.* notes. Neither had the Solicitor General forgotten to recommend that they should suffer the punishment of death still to remain, seeing that they could at present rejoice in a humane Secretary for the Home Department, who bore his faculties meekly, and a Government which would never be likely to abuse the power with which it was intrusted, or to enforce a rigorous sentence to the uttermost. This argument he believed had been also hinted by the right hon. Gentleman opposite; but so egregious and monstrous a doctrine it had never been his fortune to hear in that House before, although since he had enjoyed a seat there, many extravagant doctrines had been promulgated in his hearing. What! were they to be told that they should swerve from their opinions because they might have confidence in the then existing Government? Were they to be seriously told, that because at a given moment they had a moderate and liberal Home Secretary, and a government which might discharge its functions with popularity, they should therefore, forsooth, confine their legislation to those accidents of the hour, and so dismiss all concern for past, present, and future? For that matter, God only knew whether the Administration now at the head of affairs would be in existence for a long period or a short one, he did not pretend to divine; but certain he was, that a more preposterous proposition was never uttered, and he could scarcely credit his ears when he heard the astute and sagacious Solicitor General gravely addressing it to the House. Another argument which had been adduced was, that the narrow Majority on a recent division ought to be sufficient to give them an assurance that the punishment of death would be unfrequently resorted to. In reference to this, however, he should make one of the gravest and most practical suggestions that had hitherto occurred to him —one which he wished very strongly to urge upon their attention. They had, it appeared, pronounced an opinion by a very narrow majority—merely twelve or thirteen, in a full House—in favour of the punishment of death. He did not desire to say any thing of an invidious nature with respect to that division,—he did not intend to dwell on the discrepancy between the professions that it was not a party question, that every one should be at liberty to vote according to his judgment,—and the fact that all those who held office, or were otherwise connected with Government, or usually voted with the Treasury Bench, had all, without an exception, come to the same opinion on the subject. No doubt they had all voted, taking a sound, calm, disinterested view of a great constitutional question of criminal jurisprudence; no doubt they had formed liberal and statesmanlike abstract opinions, which, no doubt, they gave in free will, out of the plenitude of their wisdom, and with minds perfectly unbiassed by prejudice or passion; but so it was, they all, by a most singular coincidence, voted the same way, and voted with Government; yet, notwithstanding, there was only a majority of twelve. And were they after this to retain upon the penal code a punishment which had been so branded by the House of Commons after an anxious examination and deliberate discussion? If the law as it still stood had little weight in public estimation before then, in what light was it likely to be looked upon henceforward? If men's feelings rebelled against it before, would not their opinions and prepossessions be for ever rooted and confirmed by such a division of the House of Commons? Would it not operate practically on prosecutors, on witnesses, on jurors,—ay, and on judges themselves? Not six months ago had a Judge declared to him, in reference to the probable change of the law as it respected this offence, that, sitting as Judge, he could not help revolting at the idea of leaving a man for execution at a time when Parliament was engaged in a deliberation, the result of which might be, that his blood would be the last which should ever be shed for the crime of forgery. With so many reasons to induce them to abolish this punishment, and so little to encourage them to retain it, he hoped that they would not hesitate to do a service to humanity, and expunge it for ever from their Statute-book.

Sir *R. Peel*, in explanation, stated, that the members of the committee of bankers to whom the hon. and learned Gentleman alluded, had never spoken to him as a body, or in any other capacity than that of individuals on their own responsibility. He could assure the hon. Member that he must have been misinformed if he understood that either of the individuals in question had consented to forego a prosecution from motives of principle.

Mr. *Brougham* repeated that the fact which he had mentioned was undeniable. The parties referred to had detected the forger, had ample means of bringing home the charge in their power, and yet had declined to prosecute. He, of course, could not undertake to vouch for their motives, further than as they might be interpreted by their actions.

The House then divided: For the Clause abolishing the punishment of death for Forgery 151; Against it 138—Majority for the Clause 13.

Sir J. Mackintosh then brought up the clause.

Sir *R. Peel* rose and said, that he bowed to the sense of the majority of the House, although he must repeat, that his sentiments remained entirely unchanged, and he believed they would soon have reason to repent the decision to which they had just come. As the Bill had taken this turn, he now relinquished to others the benefit of his labours, and bequeathed the further progress of the measure to the right hon. and learned Member, who had, he took it for granted, well weighed the terms of his clause, and given to it that deliberate consideration which he (Sir R. Peel) had not had the power of bestowing upon it. On the right hon. and learned Gentleman, then, devolved the responsibility of this Amendment.

The clause was then read a second time, and committed.

Sir *J. Mackintosh* (after a short conference with Sir R. Peel) then said, that as he understood some verbal amendments were intended to be offered, to reconcile the clause with the contents of the Bill, he had no objection that the further proceeding should stand over till to-morrow, on that account alone.

Sir *R. Peel* said, that he should not take advantage of any thing like a thin House to-morrow to rescind the vote of that night.

Sir *James Mackintosh* did not wish to delay the measure, but he thought it would be necessary to consider how the amendments would agree with the other parts of the Bill.

Sir *Charles Wetherell* would undertake to say, that not thirty of the Majority knew what would be the operation of the clause.

Sir *James Mackintosh* was not silent from want of a good answer to give the hon. Gentleman, but he would say nothing from a much better motive.

List of the Majority, and also of the Minority.

MAJORITY.

Acland, Sir T. D., Bt.
Anson, Sir George
Baring, Sir F., Bart.
Baring, Francis
Batley, Charles H.
Barclay, Charles
Barclay, David
Bell, Matthew
Benett, John
Bentinck, Lord Geo.
Bernal, Ralph
Blake, Sir F., Bart.
Browne, James
Bramston, Thos. G.
Brougham, Henry
Brougham, James
Brownlow, Charles
Buck, Lewis W.

Buller, Charles
Calvert, Nicolson
Calthorpe, Hon. F. G.
Canning, Rt.Hn.Sir S.
Callaghan, Daniel
Cavendish, Hon. F. C.
Cavendish, Hon. C. C.
Cavendish, Wm.
Cave, R. Otway
Carter, John B.
Cholmeley, M. J.
Clifton, Lord
Clive, Edward B.
Corbett, Panton
Colborne, N. W. R.
Curteis, Edward J.
Davies, Col. T. H.
Dawson, Alexander
Dickinson, Wm.
Denison, J. E.
Duncombe, Hon. W.
Duncombe, Thos. S.
Dundas, Hon. Thos.
Dundas, Hon. G. H.
Dundas, Hon. Sir R.
Easthope, John
Ebrington, Viscount
Ellison, Cuthbert
Evans, De Lacy
Ewart, Wm.
Fazakerley, John N.
Ferguson, Robt. C.
Forbes, John
Fortescue, Hon. Geo.
Foley, John H.
French, Arthur
Frankland, Robert
Fyler, Thos. B.
Graham, Sir James
Grant, Right Hon. C.
Grant, Robert
Grattan, Henry
Grattan, James
Guise, Sir B. W. B.
Gurney, Hudson
Gye, Frederick
Hancock, Richard
Harvey, D. W.
Heneage, Geo. F.
Horton, Rt. Hn. R. W.
Honywood, Wm. P.
Huskisson, Rt.Hon.W.
Hume, Joseph
Jephson, C. D. O.
Kekewich, S. T.
Kemp, Thos. R.
Kennedy, Thos. F.
King, Hon. W. (Cork)
Knight, Robert
Labouchere, Henry
Latouche, Robert
Lascelles, Hon. Henry
Lambert, James S.
Lawley, Fras.
Lennard, Thos. B.
Littleton, Edward J.
Lott, Harry B.
Lushington, Dr.
Macauley, T. B.
Macdonald, Sir J.
Mackinnon, Charles
Mackintosh, Rt. Hon. Sir J.
Marryatt, Joseph
Marshall, John
Marshall, Wm.
Marjoribanks, S.
Martin, John
Maxwell, Henry
Milton, Viscount
Monck, J. B.
Morpeth, Viscount
Normanby, Viscount
Norton, Gen. C.
Nugent, Lord
O'Connell, D.
Ord, Wm.
Oxmantown, Lord
Pallmer, C. N.
Palmer, C. Fysche
Palmerston, Viscount
Peachy, Gen. W.
Pendarvis, Ed. W. W.
Phillimore, Dr.
Philips, Sir G.
Philips, G. R.
Powlett, Lord W.
Ponsonby, Hon. F.
Ponsonby, Hon. W.
Pryse, Pryse
Price, Sir Robert
Protheroe, Edward
Rancliffe, Lord
Ridley, Sir M. W.
Rumbold, Chas. E.
Robinson, Sir Geo.
Robinson, G. R.
Russell, Lord John
Russel, —.
Russell, Lord W.
Sandon, Viscount
Sanderson, Richard
Sadler, M. F.
Shelley, Sir J., Bart.
Slaney, Robert A.
Smith, John
Smith, Hon. Robert
Smith, Wm.
Spence, George
Stanley, Lord
Stanley, Hon. E. G. S.
Talmash, Hon. F.
Thomson, C. P.
Trant, Wm. H.
Tufton, Hon. Henry
Tynte, Chas. K. K.
Vyvyan, Sir R., Bart.
Ward, John
Wall, C. Baring
Warburton, Henry
Western, C. C.
Wilbraham, George
Wilson, Sir Robert
Wood, Alderman
Wood, John
Wodehouse, E.
Wynn, Rt. Hon. C.

TELLERS.

Buxton, Thos. F.
Rice, Thos. Spring

PAIRED OFF.

Anson, Hon. Col.
Attwood, M.
Birch, Joseph
Beaumont, J. W.
Belgrave, Earl
Baillie, Col. J.
Calvert, Charles
Carew, R. S.
Coke, Thos. W.
Davenport, E.
Denison, Wm. J.
Dundas, Rt. A.
Ellis, Hon. G. J. W. A.
Fergusson, Sir R. C.
Guest, Josiah J.
Gordon, Robert
Howick, Lord
Hobhouse, J. Cam
Lumley, John S.
Power, Richard
Ponsonby, Hon. G.
Poyntz, W. S.
Rowley, Sir Wm.
Sykes, Dan.
Stewart, John
Taylor, M. A.
Townshend, Lord C.
Talbot, R. W.
Tennyson, Chas.
Tavistock, Marquis
Wood, Chas.
Webb, Col.

MINORITY.

Alexander, James
Antrobus, Gibbs C.
Arbuthnot, Rt. Hon. C.
Arkwright, Richard
Ashurst, W. H.
Ashburnham, Hon. P.
Astley, Sir Jacob
Atkins, Ald.
Barne, Col. M.
Bankes, George
Bankes, William
Bankes, Henry
Bastard, Capt. J.
Bastard, E. P.
Baker, Edward
Beckett, Rt. Hon. Sir J.
Beresford, Lt. Col. M.
Bernard, Col.
Bingham, Lord
Bourne, Rt. Hon. S.
Boyle, Hon. John
Brudenell, Lord
Brydges, Sir John
Burrard, Lieut. Geo.
Castlereagh, Visct.
Calcraft, Rt. Hon. J.
Carrington, Sir E.
Calvert, John
Campbell, Archibald
Capel, John
Chaplin, Col. Thomas
Chaplin, Charles
Clerk, Sir George, Bt.
Clive, Henry
Courtenay, Rt. Hn. T.
Coote, Sir C. H. Bt.
Corry, Viscount
Cockburn, Right Hon. Sir G.
Cooper, B.
Cripps, Joseph
Cradock, Col.
Darlington, Lord
Daly, James
Dawkins, H.
Doherty, John
Douglas, W. R. K.
Downes, Lord
Domville, Sir C.
Drummond, Home
Dugdale, D. S.
Du Cane, Peter
East, Sir E. H. Bart.
Eastnor, Viscount
Egerton, Wilbraham
Eliot, Lord
Estcourt, T. H. G. B.
Estcourt, T. G. B.
Fane, Gen. Sir H.
Fellowes, Hon. H.
Fitzgibbon, Hon. R.
Fitzgerald, Rt. Hon. M.
Forrester, Hon. G. C.
Garlies, Visct.
Gilbert, Davies G.
Goulburn, Rt. Hon. H.
Gordon, John
Grant, Sir Alex. Bart.
Greville, Hon. C.
Greene, Thomas G.
Hardinge, Sir Henry
Hulse, James
Hart, Gen. G. V.
Herries, Rt. Hon. J. C.
Hill, Sir George
Hoy, James
Holmes, Wm.
Hope, Henry J.
Hutchinson, J. H. (of Tipperary)
Innis, Sir Hugh
Inglis, Sir R. H., Bart.
King, Sir J. D., Bart.
Knox, Hon. J. H.
Langston, J. H.
Lewis, Rt. Hon. T. F.
Legge, Hon. A.
Lindsay, Col. Jas.
Lock, James
Lock, John

Lowther, Sir J. Bart.
Lowther, John H.
Lowther, Viscount
Lushington, Col.
Lygon, Hon. Col.
Martin, Sir T. B.
Malcolm, Neill
M'Kenzie, Sir Jas.
M'Leod, J. N.
Maxwell, J.
Moore, Geo.
Murray, Rt. Hn. Sir G.
Neild, M.
O'Brien, Lucius
O'Brien, W. S.
Parnell, Sir H.
Penruddock, J. H.
Pennant, Geo. H. D.
Prendergast, M. G.
Pitt, Joseph
Planta, Joseph
Powell, Alex.
Rickford, Wm.
Rogers, Ed.
Ross, Charles
Scott, Henry
Seymour, Horace
Sibthorp, Col.
Smith, Vernon
Smith, J. Abel
Smith, George
Smith, S.
Sotheron, Admiral
Spottiswoode, A.
Sturt, H. C.
Thompson, Geo. L.
Tomes, John
Townshend, Hon. J.
Tunno, E. R.
Van Homrigh, P.
Walrond, Bethel
Wetherell, Sir C.
White, Henry
Whitmore, T.
Wilson, R. F.
Wood, Col. T.
Wortley, Hon. J. S.

TELLERS.

Dawson, G. R.
Sugden, Sir E. B.

PAIRED OFF.

Arbuthnot, Rt. Hon. C.
Bernard, Thos.
Bright, Henry
Belfast, Lord
Beresford, Sir J.
Croker, Rt. Hn. J. W.
Corry, Hon. Henry
Carmarthen, Lord
Cooke, Sir H. F.
Dundas, Hon. H.
Dalrymple, Sir H.
Gower, Lord L.
Howard, Hon. H.
Hay, Lord John
Knox, Hon. T.
Lowther, Col.
Osborne, Lord F.
Pringle, Sir W. H.
Peel, Col. J.
Phipps, Hon. Gen.
Roberts, W. A.
Rochfort, Col. G.
Smith, Christopher
Stewart, Sir M. S.
Trench, Col.
Vivian, Sir R. H. Bt.
Valletort, Lord
Williams, Owen
Wilson, Col.

HOUSE OF LORDS,

Tuesday, June 8.

MINUTES.] The Population Bill was brought up from the Commons.

Petitions presented. By the Marquis of DOWNSHIRE, for the Repeal of the Duty on Sea-borne Coals, from the Distillers of Belfast; and in favour of Drainage of Bogs Bill (Ireland), from the Society for Improving Ireland, and certain Noblemen Landowners and others in Ireland. By the Marquis of CLEVELAND, from the Company for Smelting Lead with Coal, for an additional Duty on Foreign Lead. By the Marquis of LANSDOWN, from Persons resident in the County of Wexford, against imposing any Duty on Tobacco Grown in Ireland. By the Earl of ESSEX, from the Inhabitants of Leominster, against the Punishment of Death for Forgery. By the Earl of HAREWOOD, from the Vicar of St. Helens, in the City of York, to amend the Tithe Composition Bill.

Witnesses were further examined on the East Retford Bill.

EMPLOYMENT OF THE POOR (IRELAND).] Viscount *Lorton:* My Lords, in consequence of the unavoidable absence of a noble friend (the Earl of Enniskillen), I have been called upon to present to your Lordships a Petition which I now hold in my hand, and which has reached me this day. It is from the Landed Proprietors and Landowners of the County of Fermanagh, against the introduction of Poor-laws into Ireland. Most decidedly concurring, my Lords, in the spirit and sentiments of this application, I however feel that the time has arrived when it is essentially necessary (indeed I may say when it has become an imperative duty on the Legislature) to effect a radical change in the condition of the poor in that part of the empire to which I more immediately belong; and therefore I shall take this opportunity of saying a very few words as to the matter connected with this Petition. In the first place, my Lords, I must premise that the expectations of the people had been raised to the very highest pitch by the enactment of what has been called "the Relief Bill;" this, however, does not now present to their view the benefits they were taught to look for from the passing of it; and, consequently, the disappointment has been attended with the most unhappy results. Much, my Lords, might be said upon this topic, but as "the die is cast," far be it from me to endeavour to make things worse. No, my Lords, I would rather say, let us put our shoulders manfully to the work, make the best of a very bad business, and enact such laws as must carry with them relief to the most distressed peasantry in Europe. No effectual relief, my Lords, can be afforded to the wretched and impoverished inhabitants of Ireland, I mean permanently, except through the medium of general and regular employment, which can be accomplished but in one way, and that is by the establishment of sufficient funds, arising from the aid of a land-tax. By this mode the properties of absentees would be rendered equally conducive as those of residents to the general welfare; and no reasonable objection can be brought forward by that class of persons, many of whom certainly cannot with any convenience become residents upon their Irish estates, and, consequently, must continue to do as little as they have hitherto done towards the amelioration of the condition in which their tenants drag on a miserable existence from year to year. In saying this, I must distinctly declare, that it is not my intention to reflect upon any body of men; but this is the natural result of non-residence, and should be counteracted by the Legislature, if it is wished to raise

Ireland from the state of poverty and degradation in which she now lies. In the strongest manner I would recommend such a mode of relief for the most destitute population, perhaps, in the world; and if such were fairly adopted, your Lordships would hear no more of the starving Irish, or of the thousands that annually visit this part of the empire for the purpose of earning a hard and honest livelihood, which they are unable to procure in their own country. My Lords, it does not appear to me that there would be much difficulty in arranging a system, which eventually would be attended with immense benefits to all descriptions of persons, not excepting those who, from their landed possessions, must be the contributors to the employment of the poor, as the improvements throughout the country at large would be incalculable, and consequently the value of their properties would be enhanced in an extraordinary degree. In the event of thus relieving the people of Ireland, it has struck me that competent engineer officers might be selected by Government, suppose one for every two or three counties, whose duties should be (after having made themselves well acquainted with every circumstance connected with their districts) to arrange and lay out different works and improvements, according to the amount of the funds to be raised by the land-tax; and here, my Lords, I would observe, that all the usual works which have been carried on by grand-jury presentments should be merged in this mode of employment, and a complete stop put to that method of levying money which has been so much abused, and has hitherto been considered as a very heavy grievance. The engineer officers should be perfectly independent of the land-owners in their respective counties. This would tend much to prevent ebullitions of party spirit, too prevalent in Ireland; they should be instructed to hold communication with the Government alone, as to works and improvements proposed to be carried on; an accurate description of which should be furnished twice in every year, or perhaps more frequently, together with a return of the men employed in each parish, and the disbursements that had been made in every preceding half year. Thus, my Lords, you have my view (and a very cursory one indeed it is) of the subject; but should some system be established upon this principle, our unfortunate people would be employed in the very best manner, and then there would be no doubt of a full provision being made for those who, from infirmities, are unable to work,—for in the universe there is not a nation more ready to relieve distress than the Irish, when it is in their power to do so, and which would be the case if a proportion of the money of the country was circulated amongst its inhabitants. Having now thrown out these few ideas for the consideration of his Majesty's Ministers, I shall conclude with expressing my decided conviction upon two points; first, that the enactment of the Poor-laws in Ireland would put the finishing blow to the destruction of that part of the empire; and, secondly, that no measure of a partial nature, which the Bog-drainage bill must be considered, can possibly allay the distress which has long, very long indeed, been one of the causes of all our misfortunes, and the continuance of which must affix indelible disgrace upon any government, however well regulated in other respects. My Lords, I move that this Petition be received, and laid upon your Lordships' Table.

The Earl of *Wicklow* said, that he did not rise to make any observations on the subject of the Petition which the noble Viscount had presented, neither did he intend to inquire into the merits of the plan which the noble Viscount had recommended to their Lordships; but he felt himself called on to declare his astonishment at one expression which had fallen from the noble Viscount in the course of his observations. The noble Viscount seemed to take it for granted, that the great measure of last Session had totally failed in tranquillizing Ireland. He could say that he had been in that country during the whole of the summer, acting as a magistrate, and he could assure their Lordships that the good which had resulted to Ireland from the Relief Bill had far, very far, exceeded what could have been expected in so short a time. He could assert that, not only from his own experience, but from the experience of others, both of those who were in favour of that measure, and of those who were opposed to it; and the only individual whom he had known to be of opinion, that the bill had not tended to the pacification, and, consequently, to the prosperity of Ireland, was the noble Viscount.

Viscount *Lorton* was sorry that the noble Earl had made that observation. He had touched on the subject very lightly, not wishing to go into it. But, as the noble Earl had stated that the measure of last Session had tended to tranquillize Ireland, he felt himself bound to assert, that he could bring forward, in opposition to that noble Lord's statement, hundreds of cases of the most atrocious nature, which had happened within a few months after the passing of the bill. He had received a letter from a part of the country which was formerly perfectly tranquil, but which, since the passing of the bill in question, had been one scene of dissention.

Viscount *Clifden* thought, that the less said on this subject the better. He agreed with the noble Viscount's proposition for creating employment for the poor of Ireland, and narrowing the jurisdiction of the grand jury. Something of that kind might be most advantageously effected. The whole subject was, however, a very nice and delicate one. With respect to the introduction of Poor-rates into Ireland, what had been done in England did not give any encouragement to pursue such a system. At present that relief was given to able-bodied men which was originally intended for the sick and infirm. Taking away from grand juries the power of expending large sums of money by presentment,—a system which generated much dissatisfaction and discontent,—would be attended with good consequences. As to the great measure of last Session, it had been successful in promoting the pacification of Ireland; but it was impossible that that object could be completely attained at once.

The Petition was then read, and ordered to lie on the Table.

DRAINING OF BOGS (IRELAND).] The Marquis of *Downshire*, in moving that the Bill for Draining Bogs in Ireland be read a second time, observed, that it was of great importance to pass some measure by which all the bogs of Ireland might be drained and allotted. The quantity of such land in Ireland was very considerable, and to reclaim it would be a means of providing employment to an almost indefinite extent for the poor of that country. The Bill had received great attention in the other House, and though there were objections to some of the clauses, he hoped that as a whole it would meet their Lordships' approbation. That was not the time to discuss its details, and he should be glad to avail himself of any improvement which might be suggested when the Bill came before a committee.

The Earl of *Wicklow* objected to the Bill in its present shape, and contended that it was impossible so to alter it as to render it unobjectionable. He should be glad, he said, to see a measure, with a principle not so open to mischief, for draining the greater portion of the bogs and waste lands of that country; but he never could give his support to that Bill. It conferred too great and even alarming powers on the Lord-lieutenant, and on the commissioners appointed under the Bill, over the whole property of the country.

Bill read a second time.

ABOLITION OF FEES.] The Earl of *Darnley* said, that as the second reading of the Bill for the Abolition of Fees on the Demise of the King, of which he had given notice last evening, was likely to give rise to more opposition than he had anticipated, he would not now press for more than the second reading—trusting that would be acceded to *sub silentio*. If any noble Lord objected to the principle of the Bill, there would be some fitter opportunity of discussing that question in a future stage of the proceedings. He would now move the second reading.

The Marquis of *Salisbury* thought, with those noble Lords who had spoken on the Bill the preceding evening, that the present was not the period for passing such a measure. He did not rise, however, to oppose the second reading, but merely to say, that by such an acquiescence he begged to be understood as not pledging himself to the future course he should take.

The Earl of *Eldon* hoped that his silence would not be construed into an assent to the Bill.

The Marquis of *Lansdown* did not rise for the purpose of entering into a discussion of the principle of the Bill, but of expressing a hope that regard would be had to a numerous body of persons, lest they should be affected if the measure, or a similar one, were not carried. He trusted the body of individuals to whom he had made allusion, would not be sufferers by the omission of Government and the Legislature. He spoke of all affected by the want of such a bill, more especially of that class of individuals, he meant subalterns holding commissions in the army, a most deserving and meritorious body, who, under the operation of the law, would be severely mulcted, to the injury of their families. He however trusted that such a course of proceeding would not be adopted.

The Duke of *Wellington* said, that he did entertain some objections to the Bill, but not to the principle. His objections applied to the details of the measure, and, when the proper period for stating them arrived, he would trouble their Lordships with them. Care should be taken that the interests of that body alluded to by the noble Marquis should not be affected.

Earl *Grey* expressed satisfaction on hearing that the noble Duke at the head of his Majesty's Government did not entertain any objection to the principle of the Bill. Although he thought the principle a right one, he could not forbear expressing his regret that the measure had not been brought forward at an earlier period.

The Bill was then read a second time.

HOUSE OF COMMONS,

Tuesday, June 8.

Minutes.] Returns ordered. On the Motion of the Lord Advocate, of the number of Causes tried before the Jury part of Court of Sessions since 1815:—Copies of the Report made to the Secretary of State relative to Gaols in Scotland:—On the Motion of Mr. F. Buxton, Extracts or Copies of the Accounts of the Proceedings of the Government of India respecting the Pilgrimage-tax collected at Jugernaut, Orissa, Gya, Allahabad, Trefelty, and other places:—On the Motion of Mr. Buller, various Accounts relative to the number of Newspapers sent from London in a year, and the number of Stamps issued for them:—On the Motion of Sir J. Graham, Payments made on account of Salaries and Pensions granted under the 6th of Geo. IV. c. 88, in the years ending 5th of April, 1829 and 1830:—On the Motion of Lord Milton, amount of Duty levied on foreign Corn, distinguishing it from the Duty paid on Corn grown in the Colonies of Great Britain:—On the Motion of Lord F. L. Gower, the Nineteenth Supplemental Report of the Revenue Commissioners (Ireland).

Petitions presented. In favour of the Court of Session Bill, by Sir J. Mackenzie, from the Heritors, &c. of Ross. Against Grand-Jury Assessments (Ireland), by General Archdall, from the Cess-payers of Fermanagh. Against the new Stamp Duties, by Mr. Power, from the Freeholders of the County of Waterford:—By Mr. Sykes, from Hull:—By Mr. Kekewich, from the Druggists of Exeter:—By Sir G. Hill, from the Chamber of Commerce, Londonderry:—By Mr. O'Connell, from Kilfeacle. Against the Spirit Duties, by Mr. G. Dawson, from the Landed Proprietors of Londonderry. Against Manor Courts (Ireland), by Mr. G. Dawson, from the Landed Proprietors of Donegal and Londonderry. Against the Punishment of Death for Forgery, by Mr. Curteis, from Brighton. For the Abolition of Slavery, by Mr. Sykes, from Hull. Against the Duty on Coals, by Sir G. Hill, from the Chamber of Commerce, Londonderry;—by the Earl of Belfast, from the Distillers of Belfast. For the Abolition of the East India Company's Charter, by Sir G. Hill, from the Chamber of Commerce, Londonderry:—By Mr. Buller, from the Inhabitants of the Clothing District of Gilderstrone and Wilsden. To give Magistrates the power to order Dogs to be destroyed, by Mr. C. Pallmer, from Kingston-upon-Thames.

Greece.] Mr. *O'Connell* presented a Petition from certain inhabitants of the Cities of London and Westminster, being members of the Metropolitan Union, against any interference on the part of this country in the affairs of Greece. In the prayer of the petition he fully concurred, and pressed it upon the serious consideration of the House as one well deserving its attention.

Mr. *Hume* also concurred in the prayer of the petition. He considered it highly fortunate for this country that recent events had extricated us from the risk we ran of being mixed up too much with continental politics. If Mr. Canning was entitled to the gratitude of the country for one act more than another, it was for having gotten rid of the unfortunate connexion which this country had with the Holy Alliance. It was his opinion that the Greeks, and all other nations, ought to be left, as much as possible, to themselves, and it was only right to inform his Majesty's Government that the great majorityof the people of England were opposed to any interference.

Mr. *Hobhouse* concurred in what fell from the last speaker; he also agreed with those who thought that the resignation of Prince Leopold was extremely fortunate for this country: at the same time he could not help saying that it would be desirable to the utmost degree, were it possible for us to do so with safety, that we should use our influence for the purpose of securing to Greece the freedom to which she was entitled, having fairly conquered it for herself. If there were any mode by which we could do so without compromising higher duties, he should heartily rejoice at seeing some such measure adopted. He confessed he knew no way in which the House of Commons could interfere except by addressing the Crown, and in the present afflicting circumstances, that was not to be thought of. He sincerely wished to see the question regularly brought before the House, that independent Members would speak out, and not leave all the merit to the other House of Parliament of acting in the matter.

Mr. *H. Grattan* said, that there had been a shameful disregard of liberty in the case of Greece, which had been sacrificed by our Government.

Mr. *O'Connell* hoped that a discussion on the affairs of Greece would be brought forward. He wished to avail himself of the present opportunity of expressing his admiration of the conduct of the illustrious Prince, who had denied being a party to the plan to limit its boundaries, and curtail it of its fair proportions.

Petition to be printed.

STAMPS ON MEDICINES.] Mr. *Hobhouse* rose, to present a Petition, of which he had given notice yesterday, and to which he begged the attention of the right hon. the Chancellor of the Exchequer for a few moments. It was from a very respectable body of men, the Chemists and Druggists of London and Westminster, and the Borough of Southwark, complaining of the unjust vexations to which their trade was subjected by the Medicine Stamp Acts. Similar petitions had already been presented from Manchester, Norwich, Lynn, and Exeter; and others were coming from Oxford, Bristol, Birmingham, Liverpool, Leeds, and other important towns. The original intention of the Acts which imposed a stamp duty upon certain medicines was undoubtedly to protect Patent Medicines from the fraudulent substitution of quack compounds, but, by the looseness of wording in some of those Acts, it was left in the power of the Commissioners and Solicitors of Stamps to make a much more general application of their regulations than could have been intended. To the 42nd of the late King a schedule was appended, for the purpose of designating all the medicines which should be charged with stamp duty; but such was the latitude of its wording, that every possible medicine might be made subject to duty, and if that duty were not paid, the vendor was liable to a criminal information. He had some days ago moved for returns with a view to show the operation of these Acts, and he must say that they proved even more than he had expected, It appeared from those returns that in eight months and nine days no fewer than 381 persons were served with Exchequer writs for offences against the Medicine Stamp and License Acts. Of these 381 cases twenty-seven were dropped; 116 were still pending; and the remainder —namely, 238 persons, or commercial houses dealing in drugs, having memorialised the commissioners, paid a mitigated penalty, varying from 8*l.* down to 1*l.* instead of the full penalty of 20*l.* and this for selling such things as Carbonate of Soda, Tolu Lozenges, Friar's Balsam, &c., without a label, or for being a few days without a license. Now, of all these 381 cases, not one had come before the proper tribunal, the Court of Exchequer. Although the parties received several letters informing them that, if they did not choose to pay the mitigated penalty, they would be compelled to pay the full penalty, with costs; yet, where the individuals had the firmness to hold out, three Terms were passed over, and no further proceedings were taken against them. Now, he should be glad to know what were the shades of distinction which induced the commissioners to let some individuals off for 1*l.* or 10*l.* while they compelled others to pay nearly half the full penalty; and above all, he complained that most lenity was shown to those who resisted, and paid nothing at all. The regulations adopted in these Acts were attended with the most vexatious consequences to the respectable persons engaged in this trade. In the populous city which he had the honour to represent, it was astonishing what a number of persons came into the druggist's shop for a small quantity of Friar's Balsam—to cure a cut, for instance. If the druggist sold that article in a cup or in a spoon, without putting it into a bottle, with a label, and paying a duty on that label, he was liable to a prosecution. Now, he complained that in this, and other respects, the Commissioners of Stamps and the Solicitor to the Stamp Office, exercised a power which it was not intended by the Acts to confer upon any private individuals. Would it be believed that lozenges of all sorts were subject to a duty in the druggist's shop, while all the confectioners in the same street could sell them without paying any duty, and even the manufacturer and wholesale dealer was not called upon to pay duty? In the new Stamp Act the Chancellor of the Exchequer retained all the medicines formerly subject to stamp duty, and he also introduced additional ones. Again, the venders of drugs, not being allowed to export them duty free, were undersold in all the foreign markets by the Dutch and Americans. The House would be astonished when he stated the amount of the duty for the sake of which all these vexatious regula tions were adopted. The duty amounted to 37,000*l.* a-year only, and out of that sum 12,000*l.* a-year was paid for soda-water alone; so that, deducting this sum, there was but 25,000*l.* a year for which the drug trade was subjected to these manifold inconveniences. It was not so much of the exaction of duty that these gentlemen complained, but of the uncertainty of the law, by which they were ignorant of the articles that were liable to duty; and the respectable members of the trade were confounded with those who would wilfully defraud the Revenue. The petitioners, therefore, requested that the medicine stamp duty might be done away with, or, if the Government would not consent to that course, at least that the schedule should be so drawn up that there could be no doubt of the articles which it was intended to comprehend. By doing away with the duties, he was satisfied that the Revenue would be improved. He did not mean to say that persons would be likely to take more medicine on that account—[*a laugh.*] It really was no subject of laughter to those who were dragged into the Court of Exchequer. But what he meant to say was, that the Revenue would be increased in the articles of sugar, spirits, and paper, which druggists used in sending their drugs abroad. He begged leave to bring up the petition, and, after it should be printed, he hoped the Chancellor of the Exchequer would allow him to introduce to him some of the gentlemen of this trade. They would not physic him, because they hoped he did not stand in need of it; but they would lay before him such facts as would most probably induce him to take the subject into immediate consideration.

The *Chancellor of the Exchequer* could assure the gentlemen who had signed the petition that he was quite willing to consider any question for their benefit, which should be consistent with the general interest and the protection of the public. If any such suggestion could be made, he should be not only willing, but happy, to consider it. As to the articles which were subject to duty, they were specified in the schedule; and, therefore, there could be no uncertainty regarding them, except what must arise from the inattention of the parties. If they were more particularly specified—for instance, if instead of vegetable syrup, Velno's vegetable syrup, were mentioned—the duty would not be paid at all; for parties would not be likely to put their names to medicines for the purpose of paying duty. With regard to the proceedings not having been carried to their full extent against certain parties, he could only say that, if they had, the Government might have been charged with harassing the individuals with unnecessary expense—while, if they made a distinction between what might be called venial errors, and real attempts to defraud the Revenue, they were accused of unjust favour.

Mr. *Warburton* complained of the vagueness of the schedule, and of its comprehending many articles in which there was no pretension to a right of patent, or to any occult art. He did not see why soda-water should be subject to duty.

The *Chancellor of the Exchequer* said, that soda-water was not comprehended in the new schedule.

Mr. *Hume* said, that since that was the case, and since the Chancellor of the Exchequer had given up 12,000*l.* of the duty, it was not worth while to collect the small remaining sum by such vexatious means. If the Government did not choose to give up the 25,000*l.* a year, let them reduce one of the 120 regiments, or discontinue the Governorship of Sierra Leone, or some other of the Colonies—and thus save enough to cover the deficiency. He thought the Chancellor of the Exchequer would consult the public convenience by converting the present system into a license system.

The Petition to be printed.

ADDITIONAL CHURCHES.] Mr. *Hume* presented a Petition from the Parish of St. Luke's Middlesex, relative to the New Church-Building Act. When the power had been given to the Commissioners under that Act, it certainly had never been expected or intended that they should prove a nuisance, or plague to the country. This, however, had too frequently been the case, and in many instances the public money that had been voted on this account had acted like a firebrand. The petition stated, that six years ago a chapel had been built by the commissioners in the parish of St. Luke; but so little was it wanted, that it remained for two or three years without even being fitted up. The commissioners, nothwithstanding the remonstrances of a part of the inhabitants, and notwithstanding there was already more church room in the parish than was wanted, persisted in building another church. The churches that were already built were never half filled. The clergyman who served one of them, though he was an able man, could not get half a congregation. A correspondence had taken place on this subject between some of the parishioners who had been deputed by the whole body, and the commissioners, which was conducted on the part of the latter with very little propriety, considering as he believed that most of these commissioners were divines. Their conduct was most imperious—they had refused to see the parties who went to wait on them. The hon. Member then read extracts from the petition confirmatory of these statements, and extracts of a memorial which the parishioners had addressed to the commissioners, as well as extracts from the answer of the secretary to the commissioners, stating that, as they had purchased a site for the church, they saw no reason to take the memorial into further consideration. He should move that the petition be referred to a Select Committee, to inquire into the facts stated in the petition, and into the charges it contained. It was important that the charges made against the commissioners should be investigated, and proved or disproved. The parish was extremely poor, and would be reduced to great distress by the conduct of the commissioners, who did not care about producing great inconvenience to the public for their own partial interests. He understood that in the workhouse of St. Luke's there were upwards of 600 persons, and upwards of 800 paupers in the parish. The sum expended last year on casual poor was upwards of 3,400*l.*, and the whole expense for the poor last year was 24,000*l.* There were other parochial burthens, which altogether fell so heavily that the parish was almost in a state of insolvency. This, however, was no concern of the commissioners, and they insisted on putting the parish to greater expense. The hon. Member concluded by moving that the petition be brought up with a view of referring it to a Select Committee.

The *Chancellor of the Exchequer* might, perhaps, better reserve what he had to say on this subject to some other occasion; but as the hon. Member had moved for a Select Committee, he would make a few remarks. He was much mistaken if the House would lend any support to the hon. Gentleman's Motion, for, even on his own showing, there was no ground for it whatever. All the charge that he had to bring against the commissioners was, that they would not receive certain parties, but what the state of the question was when they applied to be seen, was not stated. The hon. Gentleman had probably not informed himself, at least he had not stated to the House, what were the reasons of the commissioners for refusing. It appeared, however, by the answer to the memorial, that the application was not made till the site was chosen. The hon. Member said, the commissioners would not hear the parishioners—that they were bound to hear them—and for this he demanded that the petition should be referred to a Select Committee of the House of Commons. But was it not very possible that they might have previously obtained all the requisite information from those who possessed the best means of being acquainted with the affairs of the parish? The Crown had made an unobjectionable selection of judicious and respectable persons, who were known to be fitted for discharging the duty of commissioners; and he could not now consent to have them put upon their trial, day by day, before a Committee of the House of Commons on the allegations of any petition. He thought it would be much better to repeal the bills altogether, or to say at once that there ought to be no churches at all. A certain sum of money had been placed at the disposal of the commissioners, for the purpose of enabling the community to enjoy the advantage of christian instruction, and fulfil the decent offices of piety; but it was not to be supposed that it was solely left to their own arbitrary discretion to determine how it should be appropriated. A rule had been laid down by Parliament for their direction, enjoining them to inquire in what parishes room was wanting for the adequate accommodation of the parishioners when they assembled in the exercise of public worship, to examine in what places there existed a disproportion between the population and the space allotted for divine service, and provide accommodation in proportion to the number of the inhabitants. In compliance with these instructions, they had selected the parish of St. Luke as legitimately coming within the meaning of the said rule. The population in 1821 was ascertained to amount to 40,876, while there was not accommodation in the places of worship for more than 1,200 persons, and the commissioners proposed to give accommodation to 2,500 in addition to that number, making in all but 3,700, out of 40,876, who were supplied with the means of going to church. The assertion that the new church was almost empty, had no foundation whatever, if he might believe the testimony of the respectable clergyman who officiated. The church was calculated to accommodate 1,600 persons; 400 pew-sittings were generally let, and the average attendance was 1,200, together with 500 children who were disposed of in another part of the church; so that if there ever had been a proper case for the interference of the commissioners, it apppeared to be this. It was correctly stated, that the commissioners desired to build another additional church. They certainly did think another church necessary, and had applied to the vestry for a site, which the vestry had refused. They, however, had subsequently provided a site themselves on the border of the poorest part of the parish, where accommodation was much wanted, according to the representations of those who were best acquainted with the neighbourhood. With respect to the poverty of the parish, he should observe, that poor parishes, above all others, had entered into the contemplation of Parliament when it made a provision for building new churches. The parish in question seemed to him to have been peculiarly well selected, and he had no doubt that the portion of poverty which had arisen from misconduct and immorality, would be most effectually removed by providing free access to religious instruction, which was so much wanted by the description of persons alluded to; nor could he otherwise account for opposition to such an object, than by supposing that the parties who had raised it were inimical to religion.

Mr. *J. Wood* said, he could only judge of the commissioners from their scandalous encroachments on the property of the people, and from local information relative to their abuses. They were continually bringing in bills, which exhibited a grasping and overreaching disposition; and their prodigality and extravagance were equally discreditable to those who passively suffered such excesses, and to themselves who had committed them. Their secretary had 1,000*l.* a year; and the clerk, who no doubt discharged the whole duty, had 350*l.* In addition to this wasteful expenditure, they persisted in continually inflicting churches on those who did not want more than they were in possession of already. The hon. Member then adverted to the case of Manchester which had occurred two years before, within his own knowledge, where after a parish had been peremptorily and unexpectedly summoned to provide a site within a given time, the church had been erected on the understanding that the inhabitants were to sustain no further expense and on whom heavy rates had been immediately afterwards levied for the support of the church, notwithstanding the agreement which subsisted between them and the commissioners. The conduct of these commissioners hitherto had shown them to be any thing but trustworthy, and he should therefore refuse to repose in them additional power, seeing that they were not fit to exercise that which they possessed. He thought that a Select Committee should be appointed to inquire into the subject generally, as the gross ignorance of the commissioners had led them almost every where to select inconvenient sites for churches, and to be guilty of other local abuses, which it was necessary to remedy or discontinue. He did not mean as a dissenter to impugn the Christian character of the established church, but he thought it had been already sufficiently endowed, and he felt that he should best advance the true interests of religion by resisting its further encroachments on the property of the people. In appropriating the church revenue, modern usage had widely departed from the original intention of our ancestors, as it was formerly destined to the establishment of poor-houses and the maintenance of hospitality, both of which were now entirely neglected, that the whole revenue of the church might be applied to the support of the clergy. He submitted, that he was the best friend to religion who sought to prevent cant and hypocrisy—the besetting sins of the day—and recommended to the church the adoption of greater Christian forbearance and humility. He concluded with hoping that the hon. member for Aberdeen would press for the appointment of a Select Committee, which should be authorized to inquire into the subject generally, and not confine its labours to an examination of this case alone.

Lord *J. Russell* deprecated the innuendo implied in the speech of the right hon. Gentleman, when he appeared to insinuate that the hon. member for Aberdeen was an enemy to religion. Such language was both unparliamentary and uncourteous.

Mr. *Trant* said, he should have been ready to support the hon. member for Aberdeen, if he had made out a shadow of a charge against the commissioners, but he could not consent to grant an inquiry into a case which was so manifestly frivolous as that contained in the petition. If a specific case were brought forward, the House ought to give it every attention; but he hoped they all entertained too lively a sense of justice to listen quietly to mere unsupported imputations of ignorance and fraud.

Mr. *R. Colborne* was favourable to a repeal of all the enactments which had been passed upon this subject, few parishes having taken advantage of the provisions of the Act in question without deeply repenting it. In the parish of St. George, in which he lived, the inhabitants had been unnecessarily saddled with an expense of not less than 43,000*l.* for building churches. The hon. Member further instanced St. Peter's Pimlico, which cost 20,000*l.* and from which an income was derived of 1,081*l.* per year; out of that the minister was allowed 700*l.*, the clerk had 30*l.* other expenses amounted to 50*l.* and the remainder went to form a fund to build a house for the clergyman. What he particularly complained of, and what he hoped to see remedied by the new bill, was the appropriation of the balance of pew-rent after paying the clergyman and the clerk. He would have that applied to pay the expense of pew-openers, &c. and whatever might remain after that, should be applied to pay off the debt incurred in building the church, not to provide the clergyman with a house. If there was any intention to propose a clause remedying the evil to which he alluded, he should not oppose the bill which the Chancellor of the Exchequer had in his hand, in its further progress through the House.

Mr. Serjeant *Onslow* wished that his hon. and learned friend, the member for Preston, had not forgotten, when he stated the purposes for which the revenues of the Church were originally given also to state that a great part of those revenues had subsequently been taken away by a rapacious tyrant.

Mr. *Hume*, in moving that the Petition be laid on the Table, said, he could not but express his surprise at the manner in which the right hon. the Chancellor of the Exchequer had alluded to his having treated some observations of the right hon. Gentleman jocularly. He confessed that he, as well as other hon. Members, had laughed at the tone and manner in which the right hon. Gentleman had said, by way of rebutting the allegations of the petition, that the "churches had been built in obedience to the votes of a Christian Parliament." Was a declaration of this kind the way to meet a question of fact? What churches, he asked, had been built in obedience to the vote of a Christian Parliament? None, unless he called empty stone walls Christian churches. There were 1,200 inhabitants of the parish of St. Luke, paying an average rate of 30*l.* per annum, who offered to prove at the bar of the House, that so far from the new churches of which they complained being wanted, those they had were never half filled. Who best should know the fact of the necessity of this new church, this or that bishop—this or that Member of the commission, who knew nothing of the wants of the parish, or 1,200 respectable inhabitants necessarily best acquainted with those wants, and necessarily most interested in their removal? There was, in fact, no parish in the metropolis better supplied with houses of worship, or of which the population was more truly "church-going." Not less than 5,000 persons attended several of twenty chapels which the parish contained every Sabbath day; showing that there was no necessity for building new churches. He repeated, he could not but express his surprise at the manner in which the right hon. Gentleman had met this important petition. He talked of the inhabitants being dissolute, and as such requiring additional means of spiritual correction; and, as usual, insinuated that those who ventured at all question to the immaculate purity of the church establishment were neither more nor less than infidels. To this he should only say, that the very worst enemies of that church were the traders in cant and hypocrisy, who unfortunately were too numerous, and who had not been as much unmasked as the public welfare required. But this was an age of cant and hypocrisy; it was not surprising, therefore, that those who dealt much in both should be ready to impugn the motives of those who probably had more religion in their hearts.

The *Chancellor of the Exchequer* denied, that he had applied the term "dissolute" in the manner stated by the hon. Member. All he meant was, that where dissolute habits were owing to the poverty of any set of parishioners, the best remedy for the evil was the providing the means of improving their morals.

Petition laid on the Table. Mr. Hume gave notice that he should on Monday next move that it be referred to a Select Committee.

GREECE.] Sir *J. Graham* moved for returns of Copies of the Instructions sent to Sir P. Malcolm by the Lords of the Admiralty, in obedience to a despatch of the Earl of Aberdeen, written in July last, relative to raising the blockade of the coast of Greece by the British squadron; and also copies of the instructions and despatches sent to and from the Lord Commissioner of the Ionian Isles. He wished to know from the right hon. Home Secretary whether Ministers intended to lay before the House all documents relating to the conferences at Poros, which it was most desirable that the House should be in possession of previous to discussing the final arrangements which had been adopted by the Allies with respect to the new Greek territory?

Sir *R. Peel* said, the fullest information respecting the conferences at Poros and their results would be shortly laid before both Houses of Parliament. With regard to the papers then moved for by the hon. Baronet, he did not see what object could be attained by the production of the instructions sent to Sir P. Malcolm, as they were implied in the despatch of Lord Aberdeen which led to them. He did not throw this out by way of objection to producing the papers, but as a suggestion to spare the unnecessary multiplication of them.

Sir *J. Graham* thought that every document relating to the blockade by the Greek fleet should be produced, as the French ambassador would appear to have acted under the impression that there existed some discrepancy between the declarations of Lord Stuart de Rothsay and the despatch of the Earl of Aberdeen on the subject. He particularly alluded to the interpretation of the term "violence," as used respecting the raising of the blockade.

Sir *R. Peel* maintained, that no discrepancy other than verbal existed with respect to the interpretation of the term "violence" alluded to by the honourable Baronet.

Sir *R. Vyvyan* was anxious to know whether it was intended to lay before Parliament copies of the correspondence between the British Government and the Court of St. Petersburgh, in relation to the settlement of Greece previous to the signing of the treaty of July, 1827?

Sir *R. Peel* felt a considerable objection to produce the correspondence which had taken place before the treaty had been signed, as he thought that not only no good could arise now from its production, but that the proper time for discussing the policy to which it related had passed over. Had the hon. Baronet, months since, when the subject was under consideration, moved for those returns, there could have existed no objection to discussing the policy which they illustrated.

Sir *R. Vyvyan* begged leave to remind the right hon. Baronet, that the House had forborne to press for those and other documents relating to the treaty of July, 1827, at the suggestion of Ministers that the proper time for their production would be when the negotiations then pending had been concluded. Those negotiations had since been concluded, so that he saw no reason for withholding any portion of the correspondence which led to them.

Sir *R. Peel* was not insensible of the forbearance evinced by Parliament at the time alluded to by the hon. Baronet. Still, Ministers were now bound to look only at the public interests, and not to what had or had not been done on former occasions. In saying this, however, he did not mean to express more than a strong doubt on the expediency of producing the correspondence alluded to by the hon. Baronet.

Lord *Palmerston* begged leave to suggest to his right hon. friend the great advantage of laying before that House the additional documents relative to the conferences at Poros, which had been ordered in the other House, but which he understood were not, according to the letter of the Motion, to be also, as a matter of course, laid before the House of Commons as well as the House of Peers. He wished at the same time to remind his right hon. friend of something like a promise on a former occasion, to produce copies of the correspondence which had taken place between the British Government and the Court of St. Petersburgh, in the interval between the two Russian campaigns, with a view to bring about a favourable termination of the hostilities between Russia and the Porte. Both documents were highly important and necessary to a perfect understanding of our conduct in the transaction.

Sir *R. Peel* had only to say, that if his noble friend had been in the House a few minutes sooner, he would have heard him declare that it was the intention of Ministers to lay all the documents relative to the conferences at Poros before both Houses of Parliament. He could not take it upon him to say that he had promised the other papers alluded to by his noble friend; but if he had, it must be on conditions which he could not then recollect. Ministers had no objection to the production of every document essential to a thorough investigation of their policy in relation to the treaty of July, 1827, and its consequences.

THE CURRENCY.] Mr. *Davenport* observed, that as his hon. friend, the member for Callington, had a motion for tonight similar to one of which he had himself given notice, he would with great pleasure yield precedence to his hon. friend; reserving to himself the right to throw out such suggestions as might subsequently occur to him on a subject of such vital importance to the people.

Mr. *Attwood.*—Availing myself of the courtesy of my hon. friend, and in discharge of a duty which he would have executed with greater ability, I rise to call the attention of this House, distracted as it has been with lesser objects, to a consideration of that condition of difficulty and distress, which prevails throughout the country, and which it is the first duty of the House to consider, to relieve, and to remove. I propose with this view, two measures, the effect of which will be to lessen, in some degree at least, the burthens and sufferings of the people,—to relax also in some degree that pressure which our present monetary system inflicts on productive industry; and which will mitigate, in perhaps a greater degree, the violence of those fluctuations, which have accompanied the introduction of our present monied system, have kept pace with its progress, and which will terminate, perhaps, with its extinction alone. The measures I thus propose are, to affirm, by two Resolutions—first, that it is expedient, by making silver money a legal tender, to re-establish that legitimate and ancient metallic standard, which was suspended by the Act of 1797, and which the Act of 1819 professed, but failed, to restore; next, that it is expedient to assimilate the laws of the whole empire with regard to paper money, by rendering legal in England the circulation of cash notes of less amount than *5l.*; as that circulation is now legal in Ireland and in Scotland. If I had pursued the strong conviction of my own mind, I should have submitted to the decision of the House, on this occasion, measures of a more comprehensive character. I should have submitted to the decision of the House the whole question relative to our present standard of value, both in its principles and its operation: and the necessity and justice of an entire revision of our monied system, as established by the Act of 1819. But when I see here the great parties of which the House is composed,—or rather when I see the individuals by whose opinions these parties are guided, who have pledged (unfortunately in my estimation for the country) their political consistency to the main principles of the Act of 1819; I adopt the more limited, but the more practicable course,—I prefer the lesser, but the more attainable good, and submit measures, which, whilst they are in accordance with the opinions of those who, with me, condemn altogether the present standard, both in principle and policy, are yet also in accordance with those very principles on which the Act of 1819 has been most strongly advocated. I adopt this course with the less reluctance, because, in explaining the connexion of the measures I propose with our present system; in evincing their policy, in demonstrating the justice and necessity of these measures; it will be necessary that I should bring under the review of the House, though I abstain from submitting to its decision, much of the whole question regarding the effect of our monied system on the interests of the country,—regarding the justice with which that system can now be maintained, and the necessity of its revision. I ascribe to that monetary system, and to the measures by which it has been established, the whole of the difficulties of the country; the whole of those alternations, as they have been called,—those destructive reverses, which have accompanied its introduction. I see no just or necessary reason, why there should prevail any general state of difficulty or distress in this country at this time. There is no difficulty, there has been no distress, except what is plainly resolvable into this, —a condition of pecuniary embarrassment amongst the productive classes. The source of the national distress is thus directly pointed out: a deranged, defective monetary system, a circulation inadequate to the engagements and burthens of the productive community. So manifest is this origin, that if a scale be taken of the pecuniary prices, of productions, of property, and of commodities, for the last fifteen, or the last thirty years, that table will give an accurate index, a faithful history of the prosperous or adverse condition of the kingdom during these periods. It would be seen by it, that when monied prices have advanced in the markets, such advance has not brought with it, as at former times, privations, sufferings, and distress, amongst the great body of the community. On the contrary, when markets have fallen, then amidst that evidence of plenty, according to all former experience, the means of subsistence have been placed out of the reach of the labourer. The evidence of plenty, and the sufferings of famine, have gone together. Scarcity has accompanied low prices; and this condition of things, stated with whatever exceptions any individual may please, but incontestibly true in the main,—does it not lead to the strong presumption at least, —I do not say to the necessary conclusion, for I desire no more at present than to evince the important character of the question now under consideration; does it not lead to the strong presumption, that to forced and artificial changes in the value of money, we must look for the origin of the public calamities! It is in vain to contend, that changes in the value of money have been experienced at former times. Our history affords one example, and one only, of a change in money as extensive as those we have witnessed. That alteration followed the discovery of the New World. Money fell then, as now, in value; but its fall was permanent. Money remained at the rate to which it had fallen. From that period to the Bank Restriction Act in 1797, no further great change in money was experienced, as measured in bread corn, its best criterion. But we have seen,—first, that money fell in value to nearly as great a degree as in the instance I refer to. It did not remain of that low value; money again advanced to its original level. Then took place a second depreciation, followed by a second re-action, each as violent as the former. And then a third depreciation, and another re-action; until money, the standard of value, the measure of property and of contracts, has, by those successive alternations, covered the country with bankruptcies, against which no prudence could guard, and has been the treacherous source of ruin or injustice to all those who have intrusted their fortunes to its security. If, indeed, these changes have sprung from natural causes, what reason is there to expect that they will now terminate? And continuing; the continuance of the career of this country in its commercial and manufacturing greatness is at its close; for manufactures and commerce cannot co-exist with disorders such as these. But I believe it not; I believe not that the character of money has changed; I believe not, that the character of the people has changed, or that they have dealt less prudently with money now than at former times. And it is demonstrable, that our proceedings have been calculated to lead precisely to the calamities which they have experienced. I will describe what those proceedings have been, and I go back for this purpose to the Bank Restriction Act of 1797, on which Act rests our present system, its justice, and its policy. The Legislature by that Act established, for the first time in this country, paper money, strictly and properly so called; not paper existing as the representative of money, payable in other money, and limited in its quantity by such exchangeability; but paper, performing in itself the office and functions of money, exchangeable into nothing, representing nothing,—limited by nothing but the will of the issuers, and which no man who held it could demand payment or exchange of from any other person. It was then, for the first time, that this description of money, a pure paper money as it is denominated, was known in this country. The Legislature abolished at that time—suspended, indeed, but abolished whilst it suspended—that ancient metal standard, which for more than two centuries, as regarded one of the precious metals, the predominant standard silver, had continued without variation, the measure of property and of value in this kingdom. Another standard was then substituted—the paper money I have described; but the Legislature of that day adopted no one precautionary measure to protect the new standard from debasement, or to maintain its value. The laws which maintained the purity and value of the old standard, had no reference to the character of the new money, nor were any other laws provided in their place. Thus established, and thus unrestricted, depending for its value on chance or accident, on the will or judgment of irresponsible individuals, this paper money became the sole practical standard in which all the pecuniary engagements of the people were formed, all public and private engagements and burthens contracted and imposed, for no less a period than two-and-twenty years. At the end of that long period, in 1819, this standard of value, thus established without protection, was abandoned without inquiry; the metal standard was brought back, and all the engagements of the one standard made payable in money of the other. I repeat it, without inquiry; with no inquiry into that which was the only essential matter in an operation of this character, into the extent to which the debasement of the paper money had been carried; into the difference of value between the two monies, in one of which the contracts of the other were made to be discharged. A committee indeed of this, and one of the other House of Parliament, preceded by their labours the Act of 1819. But they stated in their Report, that it had been previously decided by the wisdom of Parliament to re-establish the standard of 1797, and that their duty was confined to a consideration of the proper time and manner to carry that into effect. The directions given to this committee, a committee sitting on a measure having the most extensive bearing on all the interests of the people were "to inquire into the state of the Bank of England, with reference to the expediency of proceeding to cash payments at the period appointed by law; and into such other matters as were connected therewith." On its Report was founded a law, the effect of which went to substitute one value for another, in every existing contract for money, rent, or debt, or settlement, throughout the realm; and the committee made no Report as to what extent this difference in value would go. It recommended this House,—the guardians of the public purse,—to pass a law, the necessary consequence of which was to make an addition, not to any particular tax; not to the land, the malt-tax, or the assessed taxes; but at once to make an addition to every tax then existing, which the war had imposed;—to every tax which the wars of two centuries had imposed;—all were to be at once increased; and the committee did not think it a matter therewith connected, to explain in their Report to what extent this addition would thus be carried;—to what amount new burthens were thus to be imposed on the people,—new taxes given to the Crown. Such were the characters of the inquiry which preceded the Act of 1819. The committee was discharging a higher duty than admitted of a reference to interests like these; they were in discharge of a task, which, said they, previous Acts of Parliament had rendered just, and therefore necessary. I dispute not now that plea of justice: for the present I admit it. Before I sit down I shall have occasion to discuss the question, and shall shew how utterly worthless is that fallacious plea, and that other plea which has been put forward, of the ten years' continuance of the present standard. But for the present I admit, that justice and the national faith required, in 1819, that the standard of 1797 should be brought back. That being necessary to be done, it was needless to inquire into the cost, whatever that cost might be, or to whatever extent the public interests would be exposed to danger. I dispute not now the justice of the Act of 1819; but I take these two measures together; I couple the Act of 1797 with the Act of 1819; I say, that by the one Act of Parliament was established in this country a money and a standard of value which had no protection from debasement; that, so established, this money became the sole practical standard of the people for two-and-twenty years; that, in this money were all pecuniary contracts, rents, settlements, and mortgages founded; that all the public burthens and taxes were in that money, during all this period, contracted, and imposed; that, at the end of this period, was brought back an ancient and an obsolete standard, unknown to the transactions of, it might almost be said, the then existing generation, unknown to all their engagements; and that all the contracts of the one money were made payable in the other, without any inquiry into the difference of value between the two. This is the character of these proceedings;

and let any man who considers them, and who is desirous of understanding the real nature of the difficulties of the country, and their origin, turn his view from this picture of the proceedings of Parliament, to a consideration of the state of the country, on whose interests these proceedings were to operate; let him consider the state of society in this country, connected together by pecuniary engagements to an extent never before known here or elsewhere; let him consider the landed interest —the land bound on one side by leases, on the other by mortgages, and settlements, all expressed in money; let him consider manufactures and commerces, all dependent on, existing by, one great and general system of pecuniary credit; next the public debts and taxes; and then I would submit to the consideration of this House, what appears to me to require no consideration, whether in the history of the country, whether in the whole history of civilized legislation, there can be found any course of proceedings more calculated to produce extensive disorders; more destitute of all prudence, foresight, or wisdom; more utterly regardless of all the rights and security of property; more framed to effect a general confiscation of property; more pregnant with derangement, disorder, danger, calamity, and ruin. Hitherto I have admitted the validity of that plea, which urges the justice of returning, in 1819, to the standard which had, since 1797, been suspended. I have said that I shall explain, before I sit down, on what grounds that fallacy is founded; and even at present it is proper to remark, that those who vindicate the sacrifices imposed by the Act of 1819, on the ground that those sacrifices were demanded by good faith and justice, bring that defence forward under circumstances little favourable to its authority. That plea was not urged by its advocates when the Act of 1819 was passed. The House or the country was told nothing then of great sacrifices which justice demanded, or of difficulties which it was necessary to encounter. The advocates of the bill saw no difficulties; foretold no sacrifices. They treated as men of gloomy and visionary apprehensions those who foresaw in the Act of 1819 the fatal consequences with which it was pregnant. There is none but a trifling difference, said the friends of the measure, in the value of the paper, and of the metal money. They had provided themselves with an infallible test, by which they could readily do that, which the right hon. Baronet has since discovered to be so difficult to do: by which they could measure the varying value of the circulating medium from time to time. Paper they could put into one scale, gold into another, and weigh the value of the two with ease, certainty, and accuracy. It was not till that test was found to be fallacious, till its worthlessness could no longer be concealed, till the consequences of the tremendous error then committed, had spread immeasurable ruin throughout the country; not till then was the ground changed, and we were told, for the first time, that whatever was the ruin which should follow the imposition of the old standard, faith and justice required that standard to be re-established, and that ruin to be endured. But it is admitted, that the faith of contracts required the standard, suspended in 1797, to be brought back in 1819, and imposed on all the engagements contracted in two-and-twenty years, during which period that standard was unknown. I admit that statement, and I rest upon it the first measure of relief which I now propose. I affirm, then, that it is not the standard suspended in 1797, which the Act of 1819 has brought back. It is a new standard, unknown till that hour to the laws of this country. I affirm it decidedly. The ancient standard of this country, the standard which existed up to 1797, was not a gold money of 3*l.* 17*s.* 10½*d.* an ounce, and could never be so described. There never existed a pecuniary contract in this kingdom payment of which could, until the Act of 1819, be enforced in money of the present standard. There never was a tax imposed which, till that hour, the King could require to be paid in money of the Act of 1819. The ancient, legitimate standard of this country is a gold money, coined after the rate of 3*l.* 17*s.* 10½*d.* of money to an ounce of gold; or a silver money of 5*s.* 2*d.* of money to an ounce of silver, at the option of the payer. This is no immaterial distinction, but an essential part of the standard. The two precious metals, gold and silver, fluctuate from time to time, in their value as estimated against one another. Gold is at times the dearest of the two; silver at other times. The laws of our standard secured to the debtor the option of the cheapest metal. For a considerable period after our standard was fixed, in the reign of Elizabeth, gold advanced, and became the dearest of the two metals. In consequence, silver became, at that time, the money in which the people discharged their engagements, and was the principal instrument of circulation; and gold would have been driven from the country, but it was dealt with as convenience required, and as I shall presently explain. About the time of King William gold ceased to advance, it afterwards began to fall; and, throughout the greater part of the last century, gold became the cheapest of the two metals: people, in consequence, discharged their engagements in gold; and silver, in its turn, became less the instrument of transactions, and was partly driven from circulation. About the year 1783 the course of the precious metals took another direction, gold again advanced: it is now greatly the dearest of the two metals, and the interest of the debtor now is to discharge his engagements in silver, according to his undoubted right by the laws of our standard as they have existed, from the reign of Elizabeth down to the Act of 1819, or rather to 1816. I will shew to what extent this change affects contracts; and I rejoice that I see opposite the hon. member for London (Mr. Ward), who stated, on a former occasion, that he was unable to understand the meaning of the terms when men spoke of a double standard. The hon. Member is a considerable authority on these subjects, a great Exchange merchant, a Director of the Bank; one of those witnesses who misled the Committee of 1819 (for that committee put questions regarding the value of money, though they made no report on such value) into the fatal error they committed of taking bullion as their measure of debasement; and I will endeavour to explain to the hon. Member, and, through him, to the House, what the term "double standard" really implies. The first Lord Liverpool, in his Letter on Coins, thus explains what he understood by that term:—"Experience has proved, (said he) that where coins are made legal tender at given rates, those who have any payments to make will prefer to discharge their debts or obligations by paying in that coin which is overrated," that is to say in the cheapest. This is Lord Liverpool's notion of the term "double standard." My hon. friend and colleague (Mr. Baring) in that very able paper which contains his evidence before the Committee of Privy Council on Coins, in 1828, gives an explanation precisely similar. It is this—"If gold and silver were concurrent legal tenders at the old Mint regulations, silver would, at present, be the practical standard, as the debtor always acquits himself in the cheapest metal he is enabled to do by law." My hon. colleague found no difficulty in piercing the mystery of those terms which perplex the hon. member for the City. The double standard is an optional standard; and that view of it, as it works in practice according to the evidence of the two authorities I have quoted, agrees precisely with the intention and meaning of the law itself, from the first introduction of two metals as money in this kingdom. I have here the terms of the first Act which legalised gold money, in the reign of Edward 3rd., when coins of gold were for the first time to any extent circulated. That Act uses almost the very words which my hon. colleague has adopted in describing the practical working of the double standard. "And where any agreement had been made,"—by agreement being signified a contract taking the nature of a debt,—"where any agreement had been made, it should be at the option of the purchaser to pay money of gold or of silver, as he should think fit." And this option given by the law to the debtor, has continued, I believe, without any interruption, to be the law of the Mint, and a part of the standard, from the period I have quoted down to the Act of 1816, for establishing a silver coinage, when that option was, for the first time, taken away, and the debtor compelled to pay his debts in gold, as soon as the Bank Restriction Act should cease,—which it did by the Act of 1819. But I will shew what the result of the double standard will be in its operation when again re-established. Let it be assumed that my hon. friend the member for London (Mr. Ward) is in possession of an old mortgage on a landed estate which he desires to call up; the money was advanced, I shall assume, before the Restriction Act; lent in the double standard; the lender advancing the cheapest of the two metals, and knowing that the law would allow the debtor to pay also in whichever should be the cheapest metal: and all mortgages which have dates before 1819, were either founded on this optional standard, or on the still cheaper standard of the Restriction Act. The mortgage is called in. By that single standard, now, for the first time, made law,—that standard, the simplicity of which is so intelligible to the hon. Member,—he is enabled to compel his debtor to pay gold money of 3*l.* 17*s.* 10½*d.* an ounce; which, when he carries to the bullion-market, he finds of the full intrinsic value of 3*l.* 17*s.* 10½*d.* in gold, and perhaps somewhat more; but which, if he sell for silver bullion, will give him five per cent more silver than the debt paid in the ancient coin of the realm would give him, according to the law of the standard suspended in 1797; and he thus, by the abolition of the legitimate standard, has obtained an unjust advantage of five per cent, to the equal injury, unjustly inflicted, of his debtor. Now suppose the legitimate standard re-established, that double standard, which the hon. Member finds it so difficult to understand, let him be satisfied that his debtor will find no such difficulty, he will see at once through the mystery. The debtor will no longer pay gold money as now compelled; he will pay in silver money, of the ancient legal coin—of 5*s.* 2*d.* the ounce; which, when the hon. Member carries to the bullion-market, he will be able to dispose of at no more than 4*s.* 11*d.* the ounce; he will lose 5-per-cent, which his debtor will gain; or, in other words, will have to give up an advantage of 5-per-cent, which the present law has unjustly, and in violation of the faith of contracts, given to all creditors over all debtors. My hon. friend will thus, I think, be enabled to discover the meaning of the term "double standard," though he may not be satisfied of its propriety; neither is that a question which the Legislature has now, or had in 1816, or in 1819, the right to interfere with. It might, originally, have been just or unjust, reasonable or unreasonable, that debtors should have the power of discharging their engagements, either in one money or the other, as one became cheaper than the other: but this was a matter for consideration when that power was given. In the time of Edward 3rd, of Queen Elizabeth, of King William, or of George 1st, it was matter for decision; but having been decided, the power having been secured by law, that law forming a part of the standard and of the Mint, and being as absolutely a part of our standard, as the weight or fineness of the coin forms an essential part of it, that power cannot be taken away from the contracting parties, without a violation of faith and justice. I will take the case of a tax, and all taxes are contracts; for I know of no obligation on any subject of this realm to pay any tax, except that it is agreed to by his representatives, acting by and for him in this House, that he shall pay such tax. Take, then, the case of a tax imposed by Parliament and given to the Crown: it falls on a particular individual with a given weight. Let this be assumed as 21*l.* As the law now stands, the King can compel this individual to provide twenty guineas of the old coinage, or twenty-one sovereigns of the new, before he can obtain an acquittal from this demand. But let the ancient standard be established, that very standard in which this tax was imposed—for there does not exist a single tax which was not either imposed in the optional standard which I now claim or in the still cheaper standard of 1797. The subject will not then pay 21 sovereigns; he will take his 21 sovereigns to the bullion-market; purchase with them 85½ ounces of standard silver, at 4*s.* 11*d.* which is the price now, and which has been the price, (or nearly so, for I speak not of fractions, and I am establishing the principle, rather than estimating the precise difference,) for the last 5 or 8 years, of silver; and these 85½ ounces he will carry to the Mint, where, according to the laws of the Mint, they will be restored to him in coin, of the amount of 22*l.* 1*s.* 9*d.*; with 21*l.* of which he will discharge his tax, demand his acquittance, and retain 1*l.* 1*s.* 9*d.* for himself, as a relief from the burthen of this duty; and will pay the tax, not in base, depreciated money, but in money of the precise denomination, weight, and fineness, which, from the 43rd year of Queen Elizabeth, down to the Act of 1816, was the legal coin of this realm, without variation or interruption. But it may be said, as it has been said, that this advantage of 5-per-cent would not be realized; that the price of silver would advance with the additional demand which making silver a legal tender would occasion. This would not affect the principle I maintain. Give the option: the debtor is entitled to it. Neither is it to be assumed, or is it probable that silver would advance. The rise of gold as compared with silver, which has taken place here, is common to us and to France, to the whole continent, and, I believe, to the world at large. Silver which, by the law of our Mint, ought to exchange against gold, after the rate of $15\frac{1}{7}$ ounces of silver to 1 oz. of gold, is given in the bullion-market, at the rate of near 16 ounces for an ounce of gold. At the same rate these metals exchange in France; and as silver forms the principal money of all countries except this, it is not probable that such additional demand for silver, as an alteration of the law would occasion here, could have the effect of changing the proportionate values of gold and silver throughout the world; and without this effect the price of silver, as against gold, could not permanently advance here. Neither, in point of fact, would a great additional demand for silver take place. Men would not, in effect, pay their debts or taxes in bags of silver: they do not now pay them in bags of gold. Debts and taxes would be paid then as now, in paper instruments of credit, bankers notes and cheques; but these, could they to be discharged in silver, the cheaper of the metals, would be discharged with less burthen than in gold, the dearer of the two. Bankers and others who issue cash-notes, would find an advantage from the cheapness and from the security which the power of paying in silver would give them; they would maintain a larger amount of their paper-money in circulation. The channels of circulation would be more abundantly replenished—money, in greater abundance, would bear a less value; and to some extent, whatever it might prove, whether 4 or 6 or 7-per-cent, the establishment of the ancient standard would, in this manner, maintain a higher average rent of all land, than can be supported under the present standard; and thus would give some advantage to the landlord—a higher price would be established for all agricultural productions, which would give the farmer relief; whilst an equal advance on the wages of labour would be an equally necessary consequence, and thus the labourer would find some mitigation from the burthens which the taxes impose upon him. The consequences of the innovation introduced into our standard in 1819, being such as I have described,—such having been the operation on pecuniary contracts, of substituting a single standard of gold for a joint standard of gold or silver, it is somewhat hard to understand, what countervailing benefit the authors of this change proposed, or how they reconciled their measure with what was due to the faith of existing engagements. The first Earl of Liverpool appears to have been the first individual who urged upon the Legislature the scheme of making gold alone, a legal tender, and of abolishing the legal tender of silver. In his well-known letter to the King, on this subject, which letter was published in 1805, and was originally drawn up, as it is understood, to serve for a report from a committee of Privy Council, which sat in 1798, on the coinage, is probably to be found the best exposition, of the reasons which guided the Legislature in changing the standard of value. Lord Liverpool's report was not adopted by the Committee of Privy Council of 1798. Why it was rejected I know not. It has been said, that it was rejected in consequence of an opposition from the then Chief Justice of the Common Pleas. The grounds of that opposition I do not know; but than this nothing can be more certain, that since, in 1798, when the Committee sat, the price of silver had fallen with respect to gold, so as to give some advantage to the debtor who should discharge his engagement in silver—the power of doing that if he pleased could not have been even then taken away from the debtor, without as gross an injustice—as gross a fraud, if it be desirable to introduce terms of this description into discussions bearing somewhat of an abstract character—as direct and as gross an injustice as was ever effected by any—the most fraudulent debasement or enhancement of the weight or fineness of the coins. The labours of the Committee of Privy Council on coins were suspended in 1798, and not renewed till 1816. The second Lord Liverpool, who had succeeded to all his father's opinions, and to more than all his power, was then successful in procuring the adoption of the measure rejected in 1798. In his father's letter to the King, the motives which influenced such adoption are to be sought; they seem to have been these:—Gold, according to Lord Liverpool, being a rich metal, is best adapted for the standard of a rich country. When countries are poor, he said, copper forms for them the fittest standard; as nations become richer, then silver comes into operation, and is the best standard; and when nations become very rich, then they adopt gold; and some countries there are, said he, so exceedingly poor, that metal baser than copper would form the most fit standard for such countries. Reasons more fanciful, carrying with them so little of solid weight were, perhaps, scarcely ever before proposed as the grounds of an important legislative measure. They are founded too on a false assumption of facts. It is not true that nations proceed with regard to money, as Lord Liverpool imagined; all experience contradicts the supposition.—Our own country—and it is by our own former experience that the proceedings of this Legislature ought to be mainly guided—this country never, when most poor, did use any standard of a cheaper material than silver. Silver formed our standard, from the first introduction of money amongst us; it continued a standard, according to our laws, with no intermission, down to the time of Lord Liverpool's project. Silver is now a standard in France, as it always has been; and as far as I know, there is no country in Europe but our own, nor in the world, however rich, where silver does not continue to be a standard of value. The advantages proposed, being such as these, how did Lord Liverpool reconcile to public faith the change from one standard to another, in reference to existing contracts? It will be found that his argument on this head overlooks altogether the main fact connected with it. He said, gold has already become practically the standard of the people; as the country became more wealthy in the course of the last century, the people found, said he, gold a more convenient money for their increased transactions than silver; they, therefore, made use of gold,—laid silver aside; and having so acted, and for such reasons, the Legislature can justly abolish silver as a standard altogether:—it will merely establish by law, the standard which the people have established in practice. All nations, he said, will act in this manner as they become rich; they will adopt gold without a law, or in spite of any law. Now, that the people of England adopted gold in the last century on account of their wealth, is so far from being true, that it might with more justice be said, they so acted because of their poverty. Gold, during the last century, became the cheapest of the two metals. It was to the advantage of every man to pay his debts in gold; it would have been a loss to the debtor, of sometimes 2-per-cent, at other times, 5, 10, and even 12-per-cent, to pay his debts in silver: and the poorer, therefore, the state of the people,—the more they were pressed by debts,—the more urgent was the necessity of paying those debts in gold, according to the option secured to them; and which option, if continued, would now make it advantageous to pay debts in silver. I hold here a table of the price of silver, as compared with gold, during the greater part of the last century. For the first twenty-five years of the reign of George 3rd, viz. from 1760 to 1785, debtors would have lost 6-per-cent by paying in silver money; that is the reason why they paid their debts in gold. After 1785, gold advanced; in 1798, and down to 1816, it became the dearest of the two metals; and so it has continued to be from 1816 to the present time; and an indisputable right have the people of this country to discharge in silver all their public and private engagements—a right which, without injustice, and a flagrant violation of the faith of contracts, no law can take away. We come, then, to 1816: a Committee of Privy Council then again sat, to consider of providing a new coinage of silver; it was a necessary measure, the old silver coins had been melted. But proceeding on Lord Liverpool's views, the committee acted in direct opposition to the facts before them. It was no doubt necessary, to secure the new coinage from the fate of our former silver coins which had been melted down, or carried abroad, and therefore to inquire whence that evil had arisen, in order to guard against its recurrence. Now, by referring to the price of silver and gold, from 1760 to 1785, we shall perceive the grounds on which the committee proceeded. The average price of silver for the whole twenty-five years is exactly 5*s.* 6*d.* the ounce, or 6¾ per cent above the Mint price. The price of gold, for the same period, is also above the Mint price; but only about ¾ per cent. During this whole period there was a profit, therefore, to be obtained by changing gold for silver, by bringing from abroad gold bullion, procuring it to be coined at the Mint, exchanging the money thus produced into silver coins of the full weight, and exporting those silver coins: thus a profit would be procured of 6-per-cent, and silver coins, it is plain, could not remain in circulation under such circumstances. To protect the new coins, therefore, it seems to have been thought necessary to reduce their intrinsic value by about 6-per-cent, and thus to leave no profit on such operations as those described; and in adopting this step, of reducing the intrinsic value of the coin, it seems to have been thought necessary, also, that the new coins so lowered should cease to be a legal tender: one measure followed the other. Now, in thus reducing the intrinsic value of the new silver coinage, in order to protect the coins, a danger was guarded against, which for a considerable period had not existed. After 1785, silver had fallen in price; in 1798, it had fallen to the ancient Mint price. It was seen, indeed, that throughout the French war, silver was high—as high sometimes as 10-per-cent, and at other times as 30-per-cent above the old Mint price; but these were the prices of depreciated paper. Estimated in gold, silver had fallen throughout the whole period of the Restriction Act; and if the Legislature in 1816 had so formed their calculation, it would have been shewn them that, gold money again established, silver coins at *5s. 2d.* an ounce would be as secure as at *5s. 6d.*, or any higher price. The result would have justified that estimate; for in the whole period since the cessation of the Restriction Act, there would have been a loss of about 5-per-cent in melting silver coins of the old standard, for that standard is *5s. 2d.* an ounce, and the market price of silver has been 4*s.* 11*d.* the ounce; and thus, therefore, with no debasement of the intrinsic value of the silver standard, would the new silver coinage have been as secure as it is now secure, or can ever be, against the danger of melting or exporting the coins. But in thus guarding against a danger which had long passed, the Legislature exposed the coinage to another danger, which an accurate calculation would have shewn them was imminent. By taking 6-per-cent from the intrinsic value of the silver coins, they offered a premium for fictitious coinage to that amount; and this premium would be of necessity increased by as much more, as silver should fall in the market below the old Mint rate. Silver in the market is now 5-per-cent below the old Mint rate; and a premium is now, therefore, held out of 11 or 12-per cent on surreptitious coinage. Whether a false coinage has really taken place to any considerable amount, I do not undertake to say, nor is it material to my argument; but it is yet a matter of great public interest. A general belief prevails that much of the silver coin now in circulation is of Dutch or American manufacture. The right hon. Master of the Mint thinks differently; but I do not consider the grounds he has assigned satisfactory. He has informed us that an assay has been made at the Mint, of coin supposed to be fictitious, and that it has been found to be genuine. But more extensive assays must be effected, before any assurance of the safety of the coin generally can be derived. And, further, I have to inform the Master of the Mint, and my belief is founded on the information of persons experienced in metals, that it is practicable to manufacture silver coin so nearly resembling the genuine coinage, as that, being formed of the same intrinsic alloy, it would not be possible for the officers of the Mint to discriminate between the real and the fraudulent money—between the coinage of the King and the coinage of the Dutchman or American. And I would like to ask the Master of the Mint, whether, since the period when additional coins have ceased to be issued from the Mint, a large accumulation of coins in silver has not been experienced at the Bank of England; whether the Bank has not expressed its opinion and apprehension, that this coin is much of it fraudulent; and whether, in fact, the Bank has not demanded payment from the Government of 11¾-per-cent on such coin, being the difference between its real and its current value? The Master of the Mint admitted that silver had accumulated at the Bank; but he said silver had nowhere else accumulated. To that fact I doubt if his means of information extend. Of one part of the kingdom I can inform him, where there is a great accumulation of silver coin. I can inform him of one establishment alone, where, within the last few months, has been accumulated above 80,000*l.* of silver coin, the difference between the intrinsic and the nominal value of which is about 10,000*l.* I do not urge this part of the question; but if the fact turns out to be, that silver money, Dutch made, is supplied here of a value 11¾-per-cent debased below its current rate—and there exist no means of securing the present coinage against such a substitution, of necessity that coinage must be withdrawn, and another adopted. Thus it is, step by step, that we have abolished the ancient standard of the realm, acting all along on partial views, and never arriving at any comprehensive understanding of the real character and importance of our operations. Abolishing the option of two metals, we have bound all contracts to one metal, and that metal the dearest. It is not unimportant to compare these proceedings with the course which, under circumstances nearly similar, this nation formerly adopted. About the period of the establishment of our standard in the reign of Elizabeth, gold advanced in price as compared with silver; as it has recently advanced. Let us then see what course was adopted by the statesmen by whom these questions were then regulated. I am appealing to the best days of the standard—to the times when the national interests, dependent on this standard of value, were protected by equal wisdom and equal justice. But I cannot refer to these times without saying, that no proceeding could be more unfortunate for themselves, than when the individuals by whom these important interests have been governed in our own times, have referred to former experience, —have placed themselves and their measures in juxtaposition,—have invited the comparison,—have invoked the authority, and appealed to the conduct of those great statesmen and monarchs, and greater patriots, and greater philosophers, by whom our standard was fixed, and by whom it was governed, from the time of Queen Elizabeth, Lord Burleigh, Lord Bacon, and Lord Coke, down to the time of King William, Mr. Locke, and Sir Isaac Newton. I am bound to tell them, no man can examine the measures of those different periods and be blind to the fact, that a contrast more striking it is impossible to find, between the prudence, the confidence yet caution, the decision yet circumspection, the sagacious foresight, looking to all consequences, protecting all interests, guarding against all dangers, which distinguished the series of former measures; and the total absence of all these characteristics, the narrow and timid presumption, the short-sighted ignorance which belong to the latter. Sir, immediately after the 43rd Elizabeth, gold advanced as it has recently advanced. The present advance of gold, as compared with silver, is, taking five years ending in 1830, and five years ending with 1785, about thirteen per cent; taking twenty years ending with 1785, and five or eight years ending with 1830, the advance is about eleven per cent. From the lowest price of gold in 1782, when an ounce of gold exchanged against no more than about $13\frac{1}{7}$ ounces of silver, to the present rate, when it exchanges against $15\frac{7}{8}$ ounces of silver, the advance of gold is more than twenty per cent. So circumstanced, we have rejected silver, and bound all contracts to gold. In 1605, four years after our standard was established, gold advanced also, as compared with silver, eleven per cent. What was the course adopted? Lord Bacon and Lord Coke directed that course: their proceedings were precisely the reverse of ours. They adhered to silver, and dealt with gold as I shall presently describe. Gold again advanced: the advance in seven years more was ten per cent. Gold continued further still to advance: the advance in the whole had reached thirty-two per cent by the time of Charles 2nd. By King William's time, gold had advanced thirty-nine per cent. During all this period, all this derangement of gold, the course of our Governments was uniform. Silver money had been coined by the 43rd of Elizabeth at 5*s.* 2*d.* the ounce; gold money at 2*l.* 15*s.* 11*d.* the ounce. By the 4th of James 1st, gold money was lessened in weight; it was then coined at 3*l.* 2*s.* 1*d.* the ounce: this was a debasement of eleven per cent. In the 9th of James 1st, gold money was lowered ten per cent by proclamation, which brought the ounce of gold to 3*l.* 7*s.* 7*d.* The gold money was again debased one or two per cent in the 17th of James 1st. In the 13th of Charles 2nd, gold was coined at 3*l.* 14*s.* 2*d.* the ounce, being a debasement of eight or nine per cent; and at that rate it continued, by the Mint indentures, until, in the reign of George 1st, gold was coined at its present rate of 3*l.* 17*s.* 10½*d.* the ounce. During all this period, silver money was held immutable and invariable; the same shilling, the same crown, possessing always the same weight and fineness. But the sovereign of the 43rd of Elizabeth, coined for 20*s.* as now, weighed 7 dwt. 4 grs., being nearly forty per cent heavier than is the present sovereign. The sovereign in four years was reduced in weight eleven per cent, and called an unite; seven more years elapsed, and the unite was raised by proclamation to 22*s.* Then the laurel was coined, of 20*s.*, but in weight having sixteen or seventeen per cent more metal than has our present sovereign. Charles 2nd took away eight or nine per cent from the weight of the laurel, and called it a guinea: the guinea being fixed by the Mint indentures at 20*s.*, passed current for 21*s.* or 22*s.* amongst the people. During all these derangements, silver money was never changed; the silver standard, the ancient predominant standard of the country, was adhered to. To this was intrusted the faith of contracts; on this standard rested the security of property; and gold was dealt with as convenience required. It is, perhaps, difficult to imagine any single course of proceeding on which more essential interests were dependent than on this. If the course we have recently adopted of taking gold as the sole standard had been then pursued, what would the consequences, under such circumstances as I have described, have been? Every debt of the people, every contract, every tax would have gone on increasing during this whole period. With a constantly increasing value of money, a constant decline in monied prices, the improvement, the prosperity of the country could not have proceeded, nor those of any country. Every man who had then taken a lease, every man who had then contracted a debt, would have signed his own ruin; whilst all public burthens would have received a constant though silent addition. All the operations of productive industry would have been sacrificed and crushed. From these evils,—which, by individuals who have devoted their attention to such subjects, it will be known that I have accurately described,—the country was protected by the wisdom of her statesmen. But, in our times, with necessity a thousand times more urgent,—with debts and burthens, that the most sanguine amongst us will scarcely profess that he is confident can be safely borne, or that their security can be reconciled with the safety of the most important classes of the community;—so circumstanced, regardless or ignorant of consequences, we have adopted the opposite course, we have abolished the old and the easier standard; that which operated as a relief to the debtor and to the productive classes generally; and have bound all the burthens of the State, and all private engagements, to that metal, which is the most astringent, the most capricious in its value, the most dangerous,—a metal which is taken as its standard by no other country than this;—that metal, which Mr. Locke, whose steps we profess to follow, declared was not the money of the world, nor fit to be so. These are the main grounds on which I propose the re-establishment of silver money as a legal tender. But I call on the House further to consider how this matter stands with regard to the consistency of their own proceedings. In returning to metal payments, after twenty-two years of paper money,—in imposing a metal standard on paper debts,—the House had a painful duty to perform; and heavily has the discharge of that duty fallen on the most valuable classes of the community. Men have been overwhelmed in ruin by thousands and ten thousands, who knew nothing of any difference in the value of different standards of money; ruined by contracts formed in ignorance—in excusable ignorance—an ignorance in which this House participated: and which was proclaimed to the country by a solemn vote in 1811. Whole classes of the people have been sunk in indiscriminate confiscation and ruin, and those the most valuable classes; men the most skilful and industrious; and the more skilful and effective in their own peculiar pursuits, the less likely to be instructed in the government standard of value: they and their property have been sacrificed and destroyed. But the House, it is pretended, could give them no relief. Were it proposed to mitigate the confiscation inflicted on these men, by permitting only their paper engagements to be discharged in silver money of the coinage of 1816, the answer was ready:—"The public honour is concerned; it is a breach of national faith to the amount of six and three quarters per cent;" to allow that the gold sovereign should discharge a debt of twenty-one shillings; "that would be a public fraud to the amount of five per cent." No relaxation could be yielded: not a jot or a tittle of abatement made; public faith, the national character, required that the old standard of 1797 should without alteration be re-established. Acts of Parliament were pledged; the course of this House was straight; dictated by justice; by blind, unmitigable, remorseless, inexorable justice. From that path you pretend you had no power to deviate, whatever consequences might follow, though you trod down the people in your course; though you sacrificed the landed interest; though your laws swept down the farmer like his wasted harvests; and drove the labouring classes to pauperism and to crime; and to an extent appalling to contemplate, has this consequence followed on your measures, though you crushed the labourers to the earth: yet you had no alternative; by former acts of Parliament you were invincibly bound; you could not alter a decree established: other evils would rush in; the bond to its letter must be executed: that has been your plea; and is it fit that this House—are there any men who will advise such a course with these pretensions recent on their lips—when that part of the people, amongst whom you have thus spread sweeping ruin, claims in its turn justice; demands also the letter of the bond: proves that with the letter the spirit corresponds; produces your acts of Parliament; establishes that the bond which could admit of no change for their protection has been itself falsified for their further ruin; will the House then be content to appear before the country in another character;—proclaim that its protestations of protecting faith and justice were a mere hollow pretext in which it had cloaked itself to conceal its deplorable blunders and miserable ignorance; that justice, when difficult, is beyond its power; that there might be a coinage to be destroyed; that for ten years this wrong has been committed; money all that time wrongfully paid on contracts, wrongfully received in pensions and salaries; that to remedy the whole of this wrong would be difficult, —to grant all the remedy due would be beyond the power of the House; that less than all would not satisfy its character; that therefore the injustice must remain; it has been inflicted ten years; it must proceed, must become perpetual; and that this House is the slave of political expediency of the meanest kind? I have stated but partially the violation of the legitimate standard effected by the Act of 1819. The ancient standard of this country cannot be alone described as a gold money of *3l.* 17*s.* 10½*d.* the ounce, or a silver money of 5*s.* 2*d.*; or both at the option of the debtor. It is money of these two standards at the option of the debtor; but money protected also in circulation,—rendered more easy of acquirement,—by certain laws inflicting punishment and penalties on the making or exporting of the coins. The object of those laws, and their effect, was, to maintain a greater amount of money in circulation; and, consequently, to lessen its value; and these laws formed as essential a part of the standard, as the weight, fineness, and denomination of the coin formed a part of that standard, nor could, without injustice on contracts, one be changed more than the other. On what pretence were those laws abolished?—none has been given but this:—the laws, it was said, were not effectual; in spite of the laws coin was melted or exported. But to some extent these laws were effectual, and no laws are perfectly effectual. The laws against usury are evaded; but those laws, to some extent, reduced, during the whole war, the interest of money. The laws which protect property from theft are not entirely effectual: robberies are committed, property is violated; but property is more secure than it would be without those laws; and those laws are effectual in proportion to their severity, always supposing that their severity does not go so far as to hinder the execution of the laws. That the laws for protecting the coin were, to some degree, effectual—that they did maintain a larger amount of coin in circulation than, without them, would have remained there; and that those laws, consequently, lowered the value of money, and thus formed an essential part of the standard, I am relieved from establishing, because I find it admitted in terms sufficiently express in the Report of the Committee, on whose recommendation those laws were abolished. That Committee—the Committee of 1819, —describes those laws acting as a seigniorage. These are their words:—"The prohibition, indeed, adds something to the difficulty, and consequently, to the expense of exportation, and may, therefore, be supposed to operate in some degree, as a seigniorage upon our coin; but it is a seigniorage perpetually varying according to the lesser or greater facilities for smuggling, which may, at different moments, exist, and affording, therefore, an uncertain, and in point of fact, an inadequate protection." Here is, then, a protection; not effectual, but capable of being rendered more effectual as smuggling should be repressed; and to some extent, still effectual, and to whatever extent, acting as a seigniorage. This protection could not, without a violation of existing contracts, have been taken away; a violation as complete in principle as would be the alteration of the coin itself. The Committee of 1819, gives no estimate of the amount to which this virtual seigniorage went; but a reference to the Bullion Report of 1810, will give reason to believe that the Bullion Committee estimated this seignorage at about two per cent. I contend not for the accuracy of any estimate, but adding this vague calculation of two per cent to a calculation of the enhancement occasioned by abolishing the legal tender of silver, we shall find a violation of the standard of 1797 actually carried into effect of from five to six, or eight per cent by those who maintained that public faith required the old standard in its letter to be re-established. These are then the grounds on which in justice, I rest the proposition for re-establishing the silver standard of value. I will now address myself to its necessity; to the necessity of giving that degree of relief to the country which can be given consistently with the principles on which the old standard itself rests, and consistently even with those principles, by which a metal standard has been inflicted on paper contracts. It will be necessary here to show to what extent was the actual difference in value between the paper and the metal money—to shew what the extent of debasement was to which the paper standard fell. No inquiry into this most important matter has the House yet instituted; for the Committee of 1819 rejected from their duties any inquiry into the extent to which the paper standard had become debased. The only attempt of the Legislature to investigate this debasement was made in 1810. In 1810, thirteen years after the establishment of a standard which had no protection from debasement, a Committee of this House was appointed to inquire into the fact, whether it had become debased or not. That Committee was the Bullion Committee, of which Mr. Horner was the Chairman. The terms of its appointment expressed that it was "to inquire into the state of the circulating medium, and into the cause of the high price of gold bullion." The Committee reported that the circulating medium was become debased. It expressed that fact in these words, "The paper money was in excess." Excess in paper money is synonymous with debasement. The Committee did not report to what degree the debasement had proceeded. It may be conjectured, from a perusal of this Report, that the Committee, or some of its members, measured the extent of debasement by the price of bullion, on which price the Committee rested mainly its proof of debasement. But if this were their opinion, they were in error, and the bullionists fell in taking the price of bullion as a measure of the debasement of paper, into a mistake similar to that of which they convicted their opponents. The House and the country was then divided, very much indeed, as at present, into two sects on these questions. On one side were the bullionists, or philosophers; on the other side the practical men, or men of business: each party then, as now, holding the opinions of their opponents in some contempt; and in this, at least, then, as now, I am disposed to believe that both parties had reason on their side. The Bullion Committee found certain practical men, who told them that the high price of gold bullion did not arise from any debasement of paper money, but was occasioned by many particular circumstances, such as wars on the Continent, movements of armies there; a practice of hoarding, and other similar events; to which the bullionists answered, "Circumstances, such as these, must, in a greater or less degree, have taken place at some other period than this; and yet, no other period can be pointed out when bullion advanced in value as it has now advanced. This advance of bullion must, therefore, be ascribed to some circumstance peculiar to the present time. There is no such circumstance, excepting the existence now of paper money, not payable in metal; and to this paper money must, therefore, be ascribed the high price of bullion; or, in other words, it is owing to the debasement of the paper." The bullionists in this, perhaps, were right, but they were wrong in taking the price of bullion as a measure of this extent of debasement. Bullion, severed from money forming no longer even the material of which money is composed, is to be considered merely as an article of commerce rising or falling in the market, like any other commodity; whilst the value of money is to be taken, not from the price of any one commodity, but from the price of all commodities generally. Now, commodities in general had advanced more than bullion. Bread-corn had advanced more than bullion; and if any one commodity gives, by its price, a better criterion of the general value of money than any other, it is bread-corn, the main subsistence of the labourer, always given of necessity for every considerable average period of years, in sufficient abundance, to enable him to maintain his strength and numbers, never, unfortunately, given at any time in much greater abundance; bread-corn, of consequence, corresponds in its average monied price, with the monied price of labour, with the monied price in consequence of all the productions of labour; and thus becomes the best measure of the general monied price of commodities; that is, of the general value of money: and so it has been accepted and considered by all writers of any weight on such subjects. Now bread-corn, which, previously to the Restriction Act of 1797, had never advanced, under any circumstances, in this country to a higher price than to the rate of about 50*s*. for a quarter of wheat, for any average of five years, did, in the paper money of the Restriction Act, advance to 70*s*., to 80*s*., to 90*s*. the quarter; and that for a considerable average number of years. The bullionists asserted that this great advance of wheat was occasioned by particular circumstances—by defective harvests, obstructed importations, by an increased demand for wheat, by an increasing population; facts somewhat at variance, it must be admitted, with each other; but the answer to these assertions is precisely the answer they gave to their opponents.—"Such circumstances as you describe, accurately or not, cannot have been peculiar to this period. In a greater or lesser degree, they must have been witnessed before; and yet, as at no former time, and under no combination of circumstances, did wheat ever before advance beyond 50*s*. the quarter, for any average period of five years; so the whole advance, which is beyond 50*s*., must be ascribed to the paper money in which wheat is now measured: or in other words, it arises from the debasement of the paper money, and is the best measure of the extent of that debasement." This is an important question in its bearings on the condition of the country, and as explaining the causes of such condition. If, as is undeniably true, the price of wheat, when paid in metal money, never advanced beyond the average of 50*s*. in this country—if the high price of wheat during the Restriction is to be ascribed to the debasement of the paper money of that Act, then the re-establishment of the metal standard necessarily brings back the old price of 50*s*. for wheat. And by establishing this matter, we clear the subject from those absurd theories and endless discussions with which this House deceives itself and the country, on every fall in the price of agricultural produce: 30*s*. or 35*s*. as the lowest, 70*s*. or 80*s*. as the price of famine,—50*s*. on the average,—are the rates we have fixed by our own measures; and it is in vain,—when we witness the inevitable consequences of those measures, when wheat descends to its lowest price,—that we deceive ourselves with accounts of harvests too productive. A harvest or two more or less productive, more or less defective, do no more than anticipate the settlement of the price of wheat. Whatever is the state of harvests, the average price is fixed at 50*s*. by our legislative measures. When this House adopted a metal standard of value, and imposed it on paper contracts, the House did that which, whether prudent or imprudent, just or unjust, was perfectly within its power to determine. But having determined that question,—having taken the precious metals for a standard, and fixed their weight by law, the effects to be produced,—the prices to be determined,—it was out of the power of the Legislature to control. The rate of prices these metals will give, is determined by a power beyond the reach of any law; by the laws of nature, and by the proportion in which nature has given the precious metals for the use and convenience of man. In this, nature has paid no regard to our necessities, or mistakes, contracts, debts, or taxes. The paper standard had this advantage,—we could proportion its quantity to the wants and engagements of the country; but, abandoning that standard, all further power and control is gone; our future prices must have reference, not to our necessities, but to the prices of the continent of the world at large, and to the value of money there, by which solely they must be governed. And what those prices and that value are, I believe, may be estimated from this:—That there has never yet existed any period, or any country, in which the precious metals have been found in so great abundance as that a greater quantity of those metals, than is contained of gold in about two of our sovereigns and a half; or of silver in about fifty shillings;—that is, about two-thirds of an ounce of gold, or about ten ounces of silver,—has been given in exchange for that quantity of wheat which is contained in one Winchester quarter, reckoning for any average period of five or of seven years. But, if it be really true, that to an extent which is thus to be estimated, we have changed the real value, whilst we have preserved the artificial denomination of money; if in the proportion thus to be taken—the proportion which fifty bears to eighty—we have effected a substitution of one value for another in every bond, and contract, and burthen of a pecuniary character—doubtless an operation like that could not be carried into effect without producing immeasurable ruin.—Have not the consequences been commensurate to the cause?—the tremendous effects of these measures to their monstrous character? The whole history of the kingdom during these operations has been nothing more than an exemplification of the effects of this operation—of the attempt to apply a metal standard to paper debts, contracts, and taxes—of the abandonment of that attempt; returning to it; and repeatedly attempting and abandoning that effort. It is on no doubtful argument that this assertion rests, but on the evidence of incontrovertible facts—on an appeal to, and on the evidence of, experience. I know of no safer guide, either for nations or individuals, than an examination of their past measures, as a rule for future conduct; and I therefore proceed to bring under the review of the House a consideration of what our measures have been, and of the consequences which have followed and accompanied them. I go back to the war, and to the state of the country during the continuance of the war. That period was prosperous; with partial, with local distress, arising out of circumstances connected with the war itself, and plainly attributable to the events of war; but the general career of the prosperity of the country continued uninterrupted during the whole period of the war. There never was a year during that period in which the strength of the people was unequal to the burthens which then existed, or to greater, if greater had been required. It is in the nature of a depreciation of money, to contribute to the prosperous condition of a commercial nation. This is well known, and universally admitted. Commerce, manufactures, agriculture, population, are all assisted and increased by a money gradually undergoing depreciation. It was in accordance with these principles, which experience has established, that the country should prosper in all its productive interests during the war. The peace put an end to this state of things: it put an end to the progress of depreciation. The peace did more; it brought along with it an Act of Parliament which provided not only that depreciation should then cease, but that the value of money should be forced back to its original level. If depreciation of money yields prosperity, a reverse operation,—an enhancing the value of money,—must of necessity occasion distress and misery. With the peace an Act of Parliament came into operation, which required that all the engagements of the war should be discharged in the money of 1797. To this Act I call the attention of the House. It is the Act by which it is contended that the faith of Parliament was pledged to re-establish in 1819, the standard which was suspended in 1797; and pledged, also, to the payment of all debts and contracts in money of that old standard, and without any inquiry into the extent in which its value differed from the value of the money of the war. This Act of Parliament was passed in December, 1803. In December, 1803, the Bank Restriction Act of 1797, which had been renewed from time to time, temporarily, was made perpetual during the war, and made to expire six months after the establishment of peace. The Legislature by this Act, therefore, provided two things: they provided a standard of value for the war, and a standard of value for the peace. For the war,—however long,—a paper standard, without limitation, without security for its value; and for the peace,—however distant,—a gold money of a value which even then had been unknown for six years to the transactions and engagements of the country. Paper money depreciates by quantity, as metal money depreciates by adulteration. In its essential character, therefore, this Act of Parliament was equivalent to a measure which, being adopted during the existence of a metal coinage and standard, should take the Mint out of the hands of the Crown; which should place the Mint in the hands of a body of irresponsible individuals; which should say to these persons, "The Mint and its powers are in your hands; deal with the coin at your pleasure; adulterate, debase, diminish, as your judgment, as your interest, as your integrity, perhaps" (but I do full justice to the integrity of the directors of the Bank; and this nation owes to them a lasting debt of gratitude, that they abused no more than were abused, those powers which the Legislature so recklessly placed in their hands)—"your integrity may dictate. We impose on you no responsibility; we subject you to no control; we shall follow your steps—not, indeed, to control your proceedings,—but to make our measures correspond with yours. The more you debase the standard, the more debts we shall contract; the more you adulterate it, the more we shall put on taxes; the more you take from the weight of the coin, the more we shall add to salaries, pensions, and all the expenses of the Government. And for all these disorders, the remedy we provide is this:—That when the war shall come to a close, however long it may be, though it endure for the fourth part of a century," —and the war did endure for eleven years from that time, and it might until now have endured, for it was brought to a close by events which could not have been foreseen by the wisdom of Parliament in 1803; it was brought to a close by the early rigour of the winter of 1812; by the elements; by the stars in their courses fighting against Napoleon; but for which, the war might be now raging;—when the war shall come to a close,—was the virtual language of the Act of Parliament:—"However long it may endure; to whatever extent you shall have debased money —whether to 10, or 50, or 100, or to 500 per cent; though your money be debased so much, that instead of 80*s.*, 80*l.* be given for a quarter of wheat, into all this we inquire nothing, we leave to our successors no power to inquire; we provide one remedy and one alone, that when these disorders are to cease, the ancient money of the country shall be brought back; and all contracts, loans, settlements, debts, and taxes existing in the country and contracted for in the one money shall be paid in the other." This is the character of that Act of Parliament. If it were passed with a knowledge of its true character, with a meaning such as that now given to it, no measure of more treacherous, more monstrous profligacy ever disgraced the history of legislative proceedings: its atrocity would be its destruction. And if it were passed in ignorance, it is invalidated by that ignorance. Sir, it was in ignorance that this Act was passed; the Legislature had no such meaning as that which we now ascribe to them; they knew nothing of a difference of value between the two monies, one of which was to be substituted for the other. They meant nothing so monstrous, as that contracts and debts made in money of one value, should be paid in money of another value; they admitted of no debasement in the paper-money, and knew of none. Eight years after this Act was passed, in 1811, they proclaimed to the country by a Resolution of the House, that they knew of no difference between the value of the paper-money, in which debts were then contracted, and the gold money, for which the paper was substituted in 1797, and by which the paper was in its turn to be supplanted at the peace. The resolution of 1811 is decisive of this question. The Legislature had no such meaning as we now ascribe to it; and so far as the Act of 1803 is to be considered in the light of a contract; it must be executed,—as all contracts must ever be executed, as long as faith and justice govern the actions of men according to the meaning—the palpable, clear, and undeniable meaning—of those by whom the contract was made. This Act of Parliament, incredible, monstrous as it appears, was carried into full and complete effect. Immediately on the close of the war, the Government carried into execution this Act of the Legislature. It is from the close of the war that the present standard has its date, and not from 1819. That standard was established in 1816; abandoned in 1817 and 1818; again established in 1819, 1820, and 1821; abandoned again in 1822, 1823, and 1824; and brought back a third time in 1826. It may take its date from 1826; it may take its date from 1816; either from its first establishment or its last; but it cannot take its date from 1819. The old standard was brought into full operation in 1816. The first difficulty was, to obtain gold: none existed in circulation. Our gold money had been sold to the Continent; the merchants of the Continent had given us 5*l.* 12*s.* an ounce for the latter part of the gold sold them; and our Act of Parliament, dated eleven years before, required that gold should exist in this country, and remain in circulation here, at the rate of 3*l.* 17*s.* 10½*d.* an ounce. How was this task to be accomplished? How were the nations of the Continent to be induced to sell us gold at a lower price than they had themselves given us for it? This could only be effected by a forced and violent action affecting the price of gold; and, as gold then again became the measure of property, by consequences equally violent and forced on the monied prices of property. That task was performed,—the paper-money was lessened in its quantity, —raised in value;—the prices of all property were reduced,—the price of gold was reduced with other prices; gold was brought back,—that very gold for which the Continent had given us *5l.* 12*s.* per ounce — was brought back to us for 3*l.* 17*s.* 10½*d.* the ounce; gold money of that value, circulating on a par with our paper-money, became the measure of property; all the debts, contracts, engagements,' and burthens, of the war, were measured in money of that value; and the disorder, the confusion, the ruin, the suffering and distress, which followed, were such, as never till that time, had been known in the history of the country. They were such as of necessity must have followed from an operation such as I have described. No other cause for the distress of 1816 can be shown to have been in existence at that time. The real state of the country was indeed, by Ministers then, as now, palliated or concealed; distress there was, it was admitted, amongst the people; but there had existed, it was said, distress also equally urgent during the war. Thus was it then attempted to delude Parliament. Doubtless there was distress during the war. A war such as that was, could not be carried on without great and severe calamities. The sudden closing of ports and markets; the efforts of France directed against English commerce, must of necessity have occasioned great disasters. Ten millions of property belonging to British merchants, seized in six weeks in the Baltic ports in 1810, and confiscated, must necessarily have inflicted injury on our merchants and manufacturers. But to the operations of war, were the calamities of the war to be ascribed. The severest and the most extensive suffering which the country was exposed to during the war, was occasioned by our disputes with the United States of America. Those States afforded then the greatest market for British productions. Seven millions annually of manufactured goods were sold there. This market was at once perfectly and entirely closed;—those goods were thrown back on the producers, with no further demand. The consequence of this was, great, extensive, and severe distress throughout the manufacturing districts. The hon. and learned member for Knaresborough, Mr. Brougham, undertook, in 1812, the task of bringing before the House the condition of the manufacturers, and of demonstrating the origin of their misfortunes: for then, also, was the existence of distress denied. Night after night, were seen arrayed at that bar, the deputies and representatives of the manufacturing districts, giving their evidence of the sufferings of the towns from whence they came, and their explanation of the cause from whence those sufferings had sprung. Now, Sir, I will give in evidence, the description which the hon. and learned member for Knaresborough,—the nearest observer of the severest distress of the war,—has given of the distress which followed the peace. I cite here from a speech of the hon. and learned Member, delivered in January, 1817, describing the condition of the country. "It was one most portentous difference," said the hon. and learned Member,—"one most portentous difference between the conclusion of this and of all former contests,—our calamities had almost entirely began with the peace." The distress of 1812 was but partial, and he appears to have considered it as nothing when brought into comparison with the ruin of 1816. "Each succeeding year," said he, "since the war ended, only made things worse; the distress, at first confined principally to our agriculture, had spread to every branch of our trade and industry, and the national misery had reached a height wholly without a precedent in our history since the Norman conquest."* These are the terms in which he, the best witness—he, the nearest observer—of the most extensive and severe distress, which the people experienced during the war, described the state of the country which followed the peace. This state of distress did not long endure. Fortunate for the best interests and security of the country was it that it did not. The people, at that time less accustomed to calamity than they now are—less patient under sufferings—had recourse to the most dangerous, the most desperate measures. But the distress was relieved, and in what manner? By reversing every one of the measures by which it had been introduced—by proceedings which broke down and abolished the ancient metallic standard; which abrogated the Act of 1803; which drove back to the Continent every guinea of that gold which had been brought here during the distress of 1815 and 1816. Step by step, measure by measure, every one of those operations were reversed, which had prepared the introduction of the gold standard. The paper money of the Bank, which had been withdrawn, was again poured by forced measures into circulation—poured into circulation by means of loans to Government; as by repayment of such loans it had been withdrawn. The depreciation of the war was renewed; the pecuniary means of the people were rendered again commensurate with their burthens; and in 1818, was established in this country, the prosperity of the war in the midst of peace. I have ascribed these alterations, these changes in the value of money, the low prices of 1816, the high prices of 1818, to measures originating with the Government. I hold here the evidence of that assertion. I hold here in one short page the history and evidence of the origin from whence sprang these disorders. It is contained in the evidence given by the directors of the Bank of England before the committee of 1819. This is that evidence. "Was not," it is asked, "was not a great reduction of the advances of the Bank to Government made in 1815, and early in 1816, with a view to the resumption of cash payments?" And the answer from the Bank is, "Yes, there was a considerable reduction."—"For that particular purpose?" it is asked:—"I believe that was the object." It is asked, "Was it not then understood that the Bank advances were to be reduced to 20,000,000*l.*, and did not such a reduction take place?" The answer is, "I think it did." Then follows a question bearing on the consequences,—"Was not 1816 a period of very considerable commercial and agricultural distress?"—"Very great, indeed!" answers Mr. Harman. "Did not that distress render it necessary to relieve the public by an increased issue of Bank-notes?"—"Yes."—"Were not the advances made in that year by the Bank to Government a great instrument of relieving the distress you have spoken of, by affording more plentiful circulation?"—"Yes; inasmuch as they made money more plentiful." Here then is a history of the origin of the distress of 1816, and of its relief. An evidence of transactions, by which money was raised in value first, and then lowered privately, and by measures designed for those objects. This money was Government money, at that time the practical and the legal standard of the country; a paper money suffering debasement by increase of quantity, and enhanced in value by diminution of quantity: these transactions were measures of the government, without the knowledge, without the sanction of Parliament—concealed from Parliament and from the country. Those measures differed in nothing from measures which should privately adulterate at one time the legal metal coin, and enhance privately the value of that coin at another time: and times there have been in the history of this House, and those times may again return, and return they will, if the people obtain generally a knowledge of the real character of the transactions by which, for fifteen years, their property has been confiscated, their contracts falsified, and immeasurable ruin spread over the country; if a knowledge of the real character of these transactions be obtained by the people, before the disorders springing from them are remedied by Parliament, then will such times again return as there have been; when this House, on such a statement as I have now made—on the evidence I give of its truth—would have proceeded to an impeachment of every man engaged in those transactions. Of the effect of these transactions on the country, I can give other confirmation. Mr. Tierney, a great authority on these subjects, intimately connected with these operations, speaking at an after-period, in February 1819, of the cause of the prosperity which followed the distress of 1816, thus describes that cause:—"The right hon. Gentleman, in the month of June, 1817, had come down to Parliament with a smile of triumph, and told the House that every thing was now restored to the very condition in which he had long hoped to see it,—that it would be soon found that the revenue was increasing,—that stocks were rising, public confidence flourishing, &c.; and when every body was looking for the realization of these gay promises, three or four months afterwards, down came a number of returns from the Bank, that explained the whole mystery; the secret of the triumph of the Chancellor of the Exchequer was exposed at once; for it appeared that the Bank had been increasing its issues—that country banks had followed its example, and that, in truth, the state of prosperity was nothing more than an increased paper currency."* Nothing but increased paper money. But prosperity it was, however; and occasioned plenty to the labourer, profit to the trader, productiveness to the Revenue, and strength and security to the State. We have dealt with our money more in reference to the material which composed the money, than to the functions it discharged. Money of paper we have called —money of rags—and have treated it as we would treat rags or paper; and forgotten, that in dealing with money, however composed, we affected the most important organ in the social body. I cite another evidence, Mr. Vansittart himself, the principal mover in these transactions. Mr. Vansittart—speaking of 1816 and of 1818—in 1821, a period when the calamities of 1816 were all renewed, and by similar means, uses these words:—"The peace followed, and that very standard was restored, at which, by another process, the country had since arrived. A second depreciation took place, which probably arose from the large loan the Government had of the Bank on account of the repeal of the property-tax. It was never very considerable."* Here, then, was the standard restored, admitted by him who restored it in 1816; restored as in 1820 and 1821, and as now. "A second depreciation, it is said, took place:" "It was never very considerable"—not if the price of bullion be taken as its measure, for Mr. Vansittart here falls into the error of the bullionists. The depreciation of money in 1818 was as considerable as at any period of the war. The prices of land, and of commodities were as high, and the prosperity of the country as great. But the prosperity of 1818 was transient. Why did not that prosperity endure? Whence came it, that the prosperity of 1818 was not as permanent as that of the war? The depreciation did not so long endure. Does any man believe that the prosperity of the war would not have ceased before the close of the war, if the Bank Restriction Act had sooner ceased? The prosperity of 1824 and 1825 also, the right hon. Baronet opposite told us, was short-lived. I will give him the reason.—Because his bill was long-lived. The prosperity of the country, and the security of his bill have not existed, and cannot exist, together. Precisely as the prosperity of the war was brought to a termination by the Act of Parliament of 1803, put in force at the peace, so was the prosperous condition of the country in 1818 reversed by Mr. Peel's bill of 1819 for restoring the old metal standard. I fear no charge of exaggeration when I speak of the calamities immediately consequent on the Act of 1819; that measure fell on the calm prosperity, the tranquil labour, of the people, on the thriving industry of the country; to confound, disorder, and destroy; the distress of 1816 in all its extent and severity was renewed. The shock was first felt by the manufacturing population: without employment; without wages; without the means of subsistence; exposed to artificial famine in the midst of plenty; ignorant from whence the blow came, the dense population of the manufacturing districts prepared for resistance. They resorted to arms; by arms they were assailed, repressed and subdued. By military force was the government of this country upheld whilst this measure was inflicted. In its first progress the Act of 1819 was disfigured with blood. The blow descended on the land. The farmers in a mass, to a man, were ruined. Whoever shall faithfully describe the condition of the cultivators of the soil of England during this dismal period, it will be thought of him that he portrays the state of a nation subjected to the wild savage, to the sweeping confiscation, of some barbarian conqueror, rather than the condition of a people reposing under the shade of equal paternal or civilized laws. History scarcely furnishes a picture of more wide-spread and universal ruin than is to be found described in the evidence given by the farmers themselves of the state of British agriculture, before the committee which sat in 1821 to inquire into agricultural distress. This committee was in fact composed of the very men who, two years before, in 1819, had sat on that other committee from which originated Mr. Peel's bill. On one committee they had altered the value of money: on the other they were called on to witness the total failure of pecuniary contracts. Of all the calamities brought under their view, they had been themselves the cause. I give here a description of the country immediately consequent on the passing of the Act of 1819, from one of those pithy historical documents, called King's Speeches. But first, on the same authority, let us see what the condition of the people was before that Act passed. In January 1819, four months before the passing of Mr. Peel's Bill, thus describes the King the state of his people.—"The Prince Regent has the greatest satisfaction in being able to inform you, that the trade, commerce, and manufactures of the country, are in a most flourishing condition."* This was the state of the manufacturers in January, 1819. That agriculture was equally prosperous, may be known from this fact—that the price of wheat was 84*s.* the quarter, for the average of 1818; and that, in 1818, the revenue increased, with no new tax, no less than 4,700,000*l.* Now, then, I quote the state of the country, as also described by the King, in November, 1819, little more than four months after the passing of Mr. Peel's bill. The King says,—"I have observed with great concern the attempts made in some of the manufacturing districts to take advantage of local distress, to excite disaffection to the institutions and Government of the country. A spirit is now fully manifested, utterly hostile to the Constitution of this kingdom, and aiming, not only at the change of those political institutions which have hitherto constituted the pride and security of this country, but at the subversion of the rights of property, and of all order in society."† And then the King proceeds to call on Parliament for all their exertions, to protect the Constitution and the law against the assaults of that very population, in whom the Constitution and the law had found their surest bulwark; who had stood fast by the Constitution and the law in the hour of their greatest danger, when Europe and America were arrayed for their destruction. Again distress disappeared, and in consequence of measures precisely similar to those by which the distress of 1816 was relieved. By a third depreciation—by proceedings inconsistent with the existence of the standard established by the Act of 1819—by measures by which that standard was banished and abolished, and destroyed. The prosperity of 1823, 1824, and 1825, was not co-existent in this country with the standard of 1819. The property of the country was not then measured in that money; nor were its debts and contracts then paid in it. The gold which had been imported in 1819, 1820, and 1821, for which gold the distress of that period had been the price paid, was driven abroad in 1824 and 1825. By the end of 1825, not a sovereign was left in the Bank; nor, if the prosperity of 1825 had endured six months longer, would a sovereign have been left in the country. The House will well remember the measures which, in 1822, were brought forward to relieve the national distress. They consisted mainly in this:—that more money—Government money—state paper—the money of the Bank—was to be forced into circulation; to be issued on loans to Government—on loans to parishes—on loans to public works—on loans to the landed interest,—which of them was immaterial, the object was to force money into circulation. The additional amount thus proposed to be circulated was four millions. How was an additional circulation of four millions of Bank-notes to relieve the national distress? By lowering the value of money—by raising monied-prices, precisely as a similar operation had relieved the distress of 1816—as a similar operation would now relieve distress. Four additional millions of Bank of England notes could not now be forced into circulation, and distress or low prices long co-exist with them: four millions is a material proportion of the whole active circulation of the Bank: the issue would be followed by an equal proportionate addition to the notes of the country bankers; to the amount of bills of exchange; and to the amount of all instruments of paper credit. High prices, wages, rents, and profits would follow: but then would come next, a derangement of the currency: none of these can co-exist with our present system of currency and standard of money. All measures of relief are temporary, worse than useless, which are not founded on some change in our standard law. The Government, as that law stands, has no power to increase the circulation permanently by one single guinea, or to reduce it. The permanent amount of our circulation must be governed by the circulation of the Continent, and our prices must conform to the continental level. The Ministers seem in 1822 to have been sensible of this, even whilst they adopted measures inconsistent with such knowledge. Lord Liverpool, when he described, in 1822, the steps proposed to be adopted for relief, stated expressly that the means proposed had been objected to as being inconsistent with the safety of the monied standard. These are his words on the 26th of February, 1822:—"The object of his Majesty's Government was," he said, "to extend and quicken the circulation," and then he goes on;—"In order to prevent

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* See Parl. Deb. Vol. xxxv. p. 114.

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* See Parl. Deb. Vol. xxxix. p. 218.

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* See Parl. Deb. Vol. v. p. 131.

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* See Parl. Deb. Vol. xxxix. p. 19.

† Ibid. Vol. xli. p. 1.

the occurrence from this measure of any inconvenience or difficulty, which might affect the present system of our currency, it is proposed to be one of the regulations accompanying it, that, in the event of any unfavourable turn in the exchanges, the Bank shall have the power of recalling each million at an interval of three months—a provision which, I conceive, is fully adequate to guard against all possible danger on that score."* To affect "the present system of currency," is to affect the security of the standard, the security of Mr. Peel's bill. But if the issue of four millions of Bank-notes could relieve distress, must not the drawing these notes back bring this distress back? The notes were to be issued; distress to be relieved, if this could be effected consistently with the security of that bill; but if the notes endangered that bill, no relief was to be given. Here, then, we see the prosperity of the country fairly placed against the security of the standard: the safety of the people put into one scale, and the standard into the other; and the preference given to the standard. Compare, then, the state of the country at the period when these measures of relief were in full operation, with its condition since they were abandoned, and we shall see what is the cost we have paid for the security of the metal standard. I again take the state of the country, as described in 1825, in the speech of the King:—"There never was a period (said his Majesty) in the history of this country, when all the great interests of society were, at the same time, in so thriving a condition."† That state of the people, contrasted with their condition in 1822, and with their present state, when there exists no one great productive interest which is not exposed to ruin, exhibits the price we have paid for Mr. Peel's bill, and for the metal standard. I have quoted the apprehensions of Lord Liverpool, that the money he proposed to throw into circulation for relieving distress would be found inconsistent with our monetary system, and the course he proposed to adopt, if those fears should be realised. I find a statement of Lord Liverpool himself, which exhibits the whole operation—which explains that the danger he anticipated did take place—the money issued for the national relief was effectual, but it was inconsistent with the security of the standard; it was withdrawn, and the distress brought back. In February, 1826, Lord Liverpool, speaking of the panic then recent, and of these operations, says —"In March, 1825, however, they (the Bank) saw the necessity which was pressing on them"—danger to the standard I may observe is synonymous with pressing necessity to the Bank,—"and they then did begin to draw in and reduce their issues. In the month of March they reduced their issues 1,300,000*l.*; between the 15th of March and the 15th of May, they made a reduction of 700,000*l.*; between August and November, they further contracted their issues, making altogether a reduction of 3,500,000*l.* in their issues."* Here is the whole history of this operation, and of the state of the country. Measures of relief, consisting of the issue of four millions of Government paper, commenced in the distress of 1822. Relief was given; the paper was drawn back in 1825 to protect the standard; the last portion in November, 1825, and early in December broke out the panic. The condition of the people since that period, is no more than the consequence of inflicting the metal standard on paper debts. At this time, we are told, there are again symptoms of reviving prosperity. I believe it: generally, throughout the productive classes and districts, some slight relaxation of the fatal pressure of 1819 is felt. But paper money has to some extent again been forced into circulation by the Bank; I charge that distinctly upon the Government; they are again tampering with the circulation and the standard. The slight improvement, but general, throughout the country, is a consequence of it. I know not to what extent the paper money has been forcibly increased; but I charge the Government distinctly, that paper money has been forced into circulation—that it exists in excess—that it cannot be so continued in circulation—that either these paper issues will break down the standard and end in a Bank Restriction, or that the paper must be drawn back; and whenever drawn back, the distress of 1819 will again be renewed; with a panic probably, which I believe will be the last, with all its dangers and consequences. I revert shortly, Sir, to the result which this review, and this experience, establish. During the war the country was prosperous; but gold money of our present standard did not exist in conjunction with that prosperity; the gold circulation was destroyed. Again, in 1818, the country flourished greatly in all its interests—but then again our gold circulation and standard was broken down. Seven millions of gold, all we possessed, was sent abroad, the whole of it, in 1818. In 1824 and in 1825, all the great interests of the country were again thriving; but necessity and danger pressed on the circulation, the standard, and the Bank. In neither of these periods was the prosperity enjoyed by the people coincident with the existence of a metal standard of the present value. Let us examine them further. In 1816 we had a gold circulation. The standard was safe; but every great interest was prostrate and ruined. In 1819, 1820, 1821, and 1822, the standard was a second time restored—the national misery was such as I have described. In 1826, the standard was a third time reestablished. I refer not to the condition of the people then and since: it is known —and if any appearance of improvement at present exists, that improvement proceeds from measures inconsistent with the safety of the gold standard. If then there be any truth in the most indisputable facts; any wisdom to be learned from experience; the conclusion which a consideration of those periods establishes is this —that our present metallic standard of value is not reconcileable with the debts, taxes, and engagements, of the late war: that whilst these paper engagements remain, metal money, of our present value, is incompatible with the prosperity of this country, and with its security. It is on these grounds of policy, of necessity, and of justice, that I rest the first of the two Resolutions which I shall submit to the House. Upon the policy and necessity of giving to productive industry such relief, at least, from the infliction of the present system, as is consistent with the principles on which that system has been established; and by a measure which cannot be resisted without the open abandonment of all those principles. The principal advantage which I propose from the measure recommended in the second of the Resolutions now offered is, that it is calculated to lessen, in some degree, one of the tasks imposed on the country by the Act of 1819. There are at present, if the calculation of Ministers be correct, about twenty-eight millions of sovereigns in circulation, exclusive of those sovereigns which remain in the cellars of the Bank. I believe that calculation to be erroneous. A fair examination of those official returns which are in the possession of the House, will establish, I believe, the fact, that about twenty or twenty-two millions is the present amount of sovereigns in circulation. The quantity of gold coin in circulation prior to 1797 was calculated by Lord Liverpool at thirty millions: that was the lowest estimate any man had formed. Mr. Rose's calculation was forty-five millions; but I will assume the lowest estimate to have been correct. If thirty millions were necessary to support the prices and transactions of the country in 1797; with an increased population, larger transactions, and greater burthens, it can scarcely be estimated that a less amount than forty millions or forty-five millions will be now necessary to support even the prices which preceded the war. If this be so, the country has yet to draw ten millions or twenty millions more of gold from the Continent, before it will have effected the task which the re-establishment of a metal standard has imposed. And how is this additional gold to be obtained? The Continent will give no gold without some equivalent. How have the twenty-eight, or the twenty millions we already possess been obtained? The answer will give an explanation of the mystery, which, in the beginning of this Session, the Ministers were unable to comprehend:—an explanation of whence it was that, with an extraordinary exportation of British productions, our manufacturers yet complained of distress. Their goods were sent out to bring back sovereigns. The law which compelled that gold should be brought here, and become the medium of our circulation, dictated also, a forced, ruinous, and extensive export trade. To drain its bullion from the Continent, our productions must be forced on the continental markets. Million by million, as the gold leaves the Continent, our effort becomes more difficult; carries more distress amongst the nations with whom we deal, and leaves more ruin at home. Every million we obtain advances the rate of the next million; additional goods must be sent out at prices continually falling. If, then, we issue five, ten, or fifteen millions of small notes, we have so much less of gold to obtain—less embarrassment to occasion abroad—less suffering to endure at home. And, with regard to the objections which may be made to this measure, I will not descend to occupy the time of the House by giving them an answer. I will not combat such objections as that Bank-notes under *5l.* cannot circulate in England without danger and ruin (I have shewn how the panic of 1825 was occasioned), when these objections, if urged at all, must be urged by men who are content that such notes shall circulate in Ireland and in Scotland. These, then, are the grounds of policy, of necessity, and of justice—of policy the most clear and decided, necessity the most urgent, and of indispensable justice—on which I rest the measures which I submit to the decision of the House. I have explained them inadequately, perhaps, and for that I owe an apology to the House; but that I have occupied with these questions, however long, the attention and time of the House, for that I offer no apology. Fit it is, that the attention of this House, its labours, its days, its sessions, should be given to the consideration of the important question I have brought under its review, and to the bearing of that question on the public interests—for it concerns deeply the character of the proceedings of the House; most deeply the character, and the honour, and the vital interests of the people. I humbly move, therefore,—"1. That it is expedient to repeal so much of the Act 56 Geo. 3rd, c. 68, as declares gold coins the only legal tender in payment of all sums beyond the amount of 40*s.*, and to establish gold and silver coins of the realm, coined in the relative proportion of $15\frac{2859}{13640}$ lbs. weight of sterling silver to 1lb. of sterling gold, shall be a legal tender in all money engagements, as directed, and ordered by the proclamation of the fourth year of George 1st. 2. That it is expedient to repeal so much of the Act of 7 Geo. 4th, c. 6, as prohibits the issue or re-issue in England of any promissory note, payable on demand to the bearer thereof, for any sum of money less than the sum of *5l.*; and also to repeal the Act of 9 Geo. 4th, c. 65, entitled 'An Act to restrain the negotiation in England of Promissory Notes and Bills under a limited sum, issued in Scotland or Ireland.'"

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* See Parl. Deb. Vol. vi. p. 716.
† Ibid. Vol. xii. N. S. p. 1.

* See Parl. Deb. Vol. xiv. p. 454.

Mr. *E. Davenport* seconded the Motion. He regretted nothing in the able speech which had just been delivered but that it was too discursive. That could not, however, be said of the Resolutions, which were of so certain and specific a character that they could not be met, as motions for inquiry had been met, by saying that they offered nothing practical and useful. It was now shown, that the present plan of Ministers was not the plan followed by our ancestors, but a plan followed by nobody but the present Ministers. He did not know by what arguments they could defend their conduct. It was not enough to say, because the law had been made, that it was not to be altered, for that would make the House not only honourable but infallible. The antiquity of the innovation, which was dated fourteen years ago, could be no reason for continuing the present standard. During that period also it had been suspended two or three times; and, in fact, it did not come into operation fully and completely, till the small notes were abolished in 1826. He contended, therefore, that the present standard had nothing to recommend it but the assertions of Ministers. That standard was also an innovation on the previous practices of the country. Silver was, according to Mr. Locke, the universal measure of value, and gold only a commodity. He could support this view also, by the evidence of the Ministerial member for Callington, who had described our adherence to the gold standard as pedantic and injurious. Nothing was more injurious than to lower the rate of profit and prices on the continent. The adoption of the gold standard was reducing the prices here to a level with prices on the Continent. What made it more injurious was, that it enhanced taxation, while adopting a silver standard would at once relieve the burthens of taxation to the amount of six or seven per cent. Other nations, such as Venice and France, had tried to establish a gold coinage, and had failed; but Buonaparte, he believed, who had given a premium on gold coin, had more power than any Chancellor of the Exchequer. It would be less easy, then, for England to do this, which gave no premium to keep gold at home, and had less power to retain it, than it was for France. The present system also placed the nation at the mercy of speculators in gold. It had been lately seen that one money-broker's house had reduced the House of Austria to dependence on it, and had contracted all its operations, degrading that illustrious House, by a contest in which it was not victorious, because it tried to borrow in another money-broker's shop. Another topic to which he would refer was the great diminution of the quantity of metals produced by the mines of South America. Silver was reduced, he believed, four-fifths in amount, and gold was reduced still more in quantity. Notwithstanding this lessened production of the mines, silver had come much more into use than formerly—increasing the pressure felt by the want of the precious metals as coin. The hon. Member then referred to the opinions of Lord Liverpool, Sir Robert Peel, and Mr. Canning, to show that Ministers had in 1819, professed a desire to return to the ancient standard of value, which, in fact, was the optional standard, either silver or gold ; but they had actually adopted the single gold standard, which never before was the standard of the country. He called on the Ministers to make their words good, and not adopt as the ancient standard, a standard which was not so in fact, and which was an exacerbation of all the burthens of the country, to the amount of eight per cent. He thought Ministers were at least bound, therefore, to support the first Resolution of the hon. Member, and he hoped they would remember their former words, and with the hon. Mover call for a restoration of the real ancient standard.

Mr. *Baring* said, that Gentlemen, he believed, rather listened to speeches on the currency from a sense of its importance, than from any expectation of having their minds settled or confirmed by what they heard. He thanked his hon. friend, for attracting the attention of the House to the subject, and he should beg leave to say a few words on it. The two Resolutions of his hon. friend were essentially different—one related to the revival of the small notes, the other to the use of a concurrent standard; and it would be very difficult to show that this concurrent standard of the two metals was not the old standard of the country. After a debate of four days on the distress of the country, it was somewhat extraordinary that what caused the peculiar state of things, of which all complained, was not very clearly explained. That peculiar state of things had existed ever since the peace, for, with some slight exceptions, owing, as he believed, and as his hon. friend stated, to the banks having pushed out paper-money, though he believed that his hon. friend attributed too much to that cause,—but this peculiar, and he might say extraordinary state of things, had existed ever since the peace, and during that period all the great interests of the country had been affected. He had no doubt that this originated chiefly, he would not say exclusively, from the state of the currency, and from the alterations which had been made in it. It was impossible that a change so general as had affected all classes, could have been brought about, except by some general cause; and why should they not attribute it to the change in the currency, which they knew had also been universal ? It was known that money had increased in value, and it was difficult to suppose that this was not the cause of the general depression. In his opinion the alteration of the currency accounted for every thing. When the value of money increased, that was shown by a general fall of prices, and this was the cause of that distress, which began among the upper, and afterwards extended to all classes. The prosperity we had experienced during the war, was owing to an opposite cause. It was worth while to recur to that, and to state that the description given of it by Mr. Thornton, in the debate on the report of the Bullion Committee in 1811, was the very converse of the present condition of the country. Money, it should be remembered, was then depreciated, and there was a universal rise of prices. Mr. Henry Thornton said on that occasion, "It was material to observe that there had, since the beginning of the war, been a continued fall in the value of money—he meant of money commonly so called, whether consisting of cash or paper. There had been estimates by some at sixty or seventy per cent, and certainly it was not less than forty or fifty per cent, which was on the average, two or three per cent per annum."* This was the remark of a gentleman who was a great observer, not a theorist, not a speculator, but a man of sound judgment, on whose opinion he set great value. He observed then, that the value of money, whether the precious metals or paper, was depreciated. He said, that in 1811, it had sunk to sixty or seventy per cent in some persons' opinion, but certainly not less than forty or fifty per cent. The most striking passage of the speech of that Gentleman was, perhaps, that in which he described the operation of the rise of prices. It was a gradual fall, in the value of money, of two or three per cent, extending through several years, and was not sudden. " It was true," he said, " that men did not generally perceive that, during a fall in the price of money, they borrowed at this advantageous rate of interest; they felt, however, the advantage of being borrowers; the temptation to borrow operating on their minds, as he believed, in the following manner:—They balanced their books once a year, and in estimating the value of those commodities in which they had invested their borrowed money, they found that value to be continually increasing, so that there was an apparent profit over and above the natural and ordinary profit on mercantile transactions. This apparent profit was nominal, as to persons who traded on their own capital; but not nominal as to those who traded with borrowed money. The borrower, therefore, derived every year from his trade, not only the common mercantile profit, which would itself somewhat exceed five per cent interest, paid by him for the use of the money, but likewise that extra profit he spoke of."* The case then was, that every man of business who went to sleep at night, found himself, when he woke in the morning richer than he was. Nothing was more influential on the prosperity of people than this continual rise in the value of their property. They were all continually getting richer. Now, during the last fifteen years, the very reverse of this had been going on. The farmers, the merchants, capitalists of every description, had seen their property decreasing in value year after year. On balancing their books at the end of six months or twelve months, they found their capital shrinking, falling away, and that they were less wealthy than they were. They were filled with despondency, and with all the feelings of going to decay. No doubt this was the effect of the alteration of the currency, which began with the resolution to get rid of the paper currency and return to a metallic standard, and of which the last act was, the getting rid of the 1*l.* and 2*l.* notes. If the House considered the extensive influence of the change in the currency, it would have no doubt that it was the cause of a state of things the very converse of that described by Mr. Thornton, and said to arise from a gradually depreciated currency. It was attended with a phenomenon which some persons thought was singular and difficult of explanation; which was, that during the depression, our exports continued to increase. This was, however, to be explained in this way. The merchants and manufacturers, who balanced their books every six or twelve months, on summing up their transactions, found themselves losers from carrying on their operations; but at the same time they saw that all other things had got cheaper. They found they could buy the raw material 5 or 10, or 20-per-cent cheaper, and labour was cheaper; and they hoped, in consequence of the cheapness of the materials, that they would make a profit the next year. There was a necessity to find a new market for these cheaper commodities, more of which were produced than before, and this led to the increase in the exports. He saw no difficulty, therefore, in reconciling our increased exports with our falling prices and continued distress. The case might be exemplified by the farmers—they had been losing for some time past; but as they lost, stock became cheaper, they could stock their farms cheaper than before, they were able, as it were, to undersell themselves, and so they were encouraged to continue their losing trade. The same symptoms were everywhere observed, and they all proceeded from the same cause. It was satisfactory to be able to ascertain the cause of our distress, for that might lead to avoiding it in future. It arose, then, from touching the currency, from tampering with the standard, from altering the measure of value, which had put to hazard and exposed to great risk all the property of the country and all its interests. He hoped that the lesson which this taught us would not be thrown away. He did not mention this, however, that the Government and Legislature should take it into their consideration, in recognising the cause of the present distress, whether or not they would again tamper with the currency. He did not hold it out as any inducement for them to do so, when the opinion of the House and the opinion of the country were decidedly against it. He at least hoped, having now gone through many years of difficulties, and having arrived at last, as he believed, at nearly the end of them, and having a metallic currency, that our money was now placed on a secure basis. The withdrawal of the small notes had, he believed, caused a considerable increase of our difficulties. It was not so much the amount of that paper in circulation as the facility it gave to carry on trade in the country. It encouraged country bankers—it established a local circulation—and gave a great facility for carrying on country trade. The general currency, on the contrary, tended to bring the whole circulation towards Lombard-street; it was, perhaps, an advantage for London, but it was injurious to the country; the withdrawal of the small notes had then added to the distress. At the same time he was impressed with the great difficulty of maintaining undepreciated our standard of value as long as they formed a large part of our circulation; and being sensible of that, he was willing to make a sacrifice for the advantage of being able to maintain, in time of pressure, our standard of value unaltered. When he remembered what happened in 1825, and in the different panics he had witnessed, he was doubtful how far we should be able to maintain our standard with many small notes in circulation. The examples of Ireland and Scotland were certainly conclusive as to the possibility, but it was difficult to say how far that could be with safety extended. Paper money might be allowed in one English county—it could not be limited to Scotland; but the wider it was extended, the more difficult it would make the maintenance of our metallic standard in a time of pressure. It had been argued that the solvency of the bankers who failed in 1825—a great proportion of them having since paid in full—was a proof that there was no danger from a paper circulation; but, in his view of the matter, the solvency of these bankers was an argument against the system. If it overthrew those who had property to meet the demand on them, was not that a proof of its being dangerous? His hon. friend proposed to repeal the law for preventing the issue of one pound and two pound notes, which, in his view, might be somewhat hazardous. To that part of the resolutions he was not disposed to accede. The other object proposed by his hon. friend was of very great importance, and on it he would say a few words. His hon. friend's proposition was, that the silver standard should be concurrent with the gold standard. That was a measure which, in the first place, would cause some depreciation; and, in the second place, it might be right to inquire if this depreciation would be justified. It might then be considered what would be its effect in preserving our metallic standard; and he must at once say for himself, that he thought it would greatly improve our chance of maintaining our standard. As to the extent to which it would cause depreciation, that he thought would be perfectly justified. The alteration would not extend beyond 5-per-cent, which, as it would increase the facility for preserving the standard, would not be a disadvantage. The hon. Member then entered into a brief history of our currency, to show that up to 1797, silver and gold had been concurrently the standard of the country. The Act of 1798 went to suspend the coinage of silver, until an alteration, recommended by a Committee, was effected; which alteration, in consequence of the introduction of a paper circulation and other circumstances, never actually took place. The case, then, as he apprehended, stood thus:—Up to 1798, the debtor had the power to tender a payment in either gold or silver, but after that time it was suspended by the Act to which he alluded; and it was not until the year 1816 that the suspension of 1798 was declared, by Act of Parliament, to be a permanent exclusion of silver from the legal tenders of the country. He said, then, give us the same standard as that which existed before the suspension of 1798; give us, he would say, that power of paying either in gold or silver, which existed before 1798, and which was suspended until the coinage could be put on a better footing. It might be said, however, and he did not deny its truth, that the difference between the gold and the silver payment would be full 5-per-cent, and that those who thus obtained the power to pay in silver would gain five pounds in every hundred which they paid to their creditors. But if, in the present circumstances of the country, and looking to the tremendous changes which had taken place, all adjustment of the claims of those who had contracted engagements in the depreciated currency was denied them, then he would say that those who refused this adjustment could not deny that the taking off 5-per-cent in this way was a fair method of making the debtor some remuneration for his loss. Considering that England was the only country in the world where such a standard as that of gold exclusively was to be found, and that every other country on earth had in some way or other admitted both metals for that purpose, he confessed that he should not regret to see that change take place, if it were merely to arrive at that favourable conclusion for the debtor which he had before described. He thought, too, that if the old standard were adopted, that standard which those who clung to antiquity must surely approve of, there would be much less probability of those derangements of our monetary system which a sudden change of circumstances might now produce. He knew that these things were much better understood by calm examination in the closet, than by explanation in that House, or by evidence before a Committee; but still he thought that such an examination would do much to prepare the House for the alteration. In reference to the silver standard, he would just make one observation on a part of the question which involved an objection, plausible enough at first, but in his mind totally illusory and unsatisfactory. It was said, then, by the Theorists and the Philosophers—he meant them no offence when he called them so—that if you take the two metals as a standard of value, you expose yourselves to all the variations which at all times prevail between these two things which you have adopted as a standard. The object of a standard, they say, is fixity, and by adopting the two metals, you take things which vary with respect to each other; whereas, by taking any one, you have a standard free from any such objection. Now, it was a singular thing, that those who started this objection should have forgotten the example of France, whose ingenious and scientific men had applied themselves much to the question of the variation of the two metals, and who, although they were acquainted with this objection of the Theorists, had surmounted all the difficulties it presented, and preserved the double standard with all its objections. It was still more strange, however, that these Theorists should not see, that if they looked at the whole medium of circulation, they would find the variations greater in it than any which could take place between the two metals. They would find, in fact, that the variability of the two metals, in reference to each other, was as a mere drop of water in the ocean compared with the variations which frequently took place in the circulating medium itself. Look, for instance, at the Bank of England circulation—look at the extensions and withdrawals of circulation in the year 1825—and they would find that the variations of that period amounted to full twenty-five per cent. It was for these, and similar reasons, and from the feelings he entertained on this subject, that he felt bound to vote for the first Resolution of his hon. friend (Mr. Attwood). He adopted that course, too, that he might mark his opinions on the question, although he confessed he would prefer, if he had his choice, recommending the whole question to be referred to a Committee. He could not quit this subject without referring, however, to the opinions once delivered by a Governor of the Bank of England, with respect to the two standards. He admitted that from the manner in which that great commercial Company generally conducted its business, he was not disposed to regard as an authority the statements of that corporation; but it was different with the statements of individual members; and there could be no question that the experience and ability of Mr. Harman, the gentleman to whose evidence he alluded, was entitled to the greatest attention. Mr. Harman expressly declared, then, that if he could be brought to believe there was a sufficiency of gold for the circulation of the whole of the United Kingdom, he should think the gold standard the preferable one; but as it was otherwise, he was inclined to favour the proposition for making silver also a standard. For his own part, he thought an unlimited paper circulation the greatest evil which could fall on a country; and as he was anxious that, if any such event as war did come, it should find us prepared to meet its difficulties without having recourse to such a device as a paper currency, he thought the admission of the two metals as a standard a measure much to be desired. He begged, however, to be understood as proposing any alteration in the present system with the very greatest reluctance. He was indeed unwilling, except from a strong conviction of its propriety, to give his vote for the appointment of a Committee; because he knew well how likely men's minds were to be unsettled by any prospect of changes; but he was willing to encounter all these evils, although he anticipated their full extent, because he thought the state of the circulation was not a sound one, nor calculated to meet the exigencies which might arise without some alteration.

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* See Parl. Deb. Vol. xix. p. 905.

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* See Parl. Deb. Vol. xix. p. 905.

Mr. *Herries* said, that the hon. Member (Mr. Attwood), in the very able speech with which he had opened this discussion, and the hon. member for Shaftesbury, who had followed him, had, in his opinion, taken an entirely wrong view of the cause of the thin attendance of Members, when they attributed that thin attendance to a want of feeling on the part of the House to the wants and wishes of the country. In his opinion, the absence of hon. Members during the speeches of those two Gentlemen arose from a conviction in the minds of a majority of the House,—and he believed that the majority of the country entertained the same conviction,—that this question of the currency was now finally set at rest, and that any motion that any hon. Member might think proper to submit on the subject would not have the effect of producing any change whatsoever. Those two hon. Members might depend upon it, that if the majority of the House thought there was the slightest probability of this Motion ending in an alteration of the currency, the House would be crowded by the fullest possible attendance of Members, who would be drawn down for the express purpose of preventing such alteration. When he said that the hon. Member (Mr. Attwood) had made an able speech, he did not mean to say that that hon. Member had said any thing new upon the subject. For the benefit of those who had not heard the hon. Member's speech, he would just observe, that the hon. Member had merely repeated (with great ability, certainly, and with still greater pains) all that he had said upon former occasions, re-stating the same facts, and re-urging the same arguments; but introducing not a single new fact, nor a single new argument. The main question raised by the hon. member for Callington (Mr. Attwood) was, whether we should recur to the double standard,—for it was the double standard, and not a double standard, as hon. Members would quickly perceive. The position which the hon. Member had endeavoured to maintain, was—not that we should have the two precious metals in circulation,—but that we should have the two metals in circulation at certain fixed proportions, which condition must render the execution of the hon. Member's proposition strictly impossible. Let him not be supposed to be mis-stating or overstating the argument of the hon. Member. He called upon the House to bear in mind that it was an essential part of the hon. Member's argument, that the two metals should circulate in the proportions of 1798. The hon. Member said in so many words,—"Raise the depreciated silver to the same proportion to gold as that in which it stood in 1798." Not to detain the House with details upon a part of the question which did not call for them, it would be sufficient for him to observe, that it was perfectly well known that the proportion in which these two metals interchanged now in the markets of the world, was essentially different from the proportions of 1798. In fact, the hon. Gentleman had himself admitted this: nay, the hon. Gentleman had gone further, and told them that the difference between the two was as much as five per cent. This was not quite correct; the difference was not so great; but take it to be as the hon. Gentleman had stated it, and to what result did it lead them? Why, the hon. Gentleman, ingenious as he was,—practical as he boasted himself to be,—had gravely and seriously recommended that the Legislature should make gold and silver equally a legal tender in this country at the old Mint prices, although, in the very same breath, the hon. Gentleman acknowledged that these metals differed in value from those prices, as much as five per cent. He would venture to say that such a proposal was never before seriously made. The hon. Gentleman had, with great pains and minuteness, traced the history of our currency, and had told them how our ancestors had been obliged from time to time to adjust the value of these two metals, in order to keep them both legal tenders. Indeed, this was the whole object of Sir Isaac Newton's Tables; but the hon. Gentleman derided the wisdom of Sir Isaac Newton, and, in defiance of all these facts, which by his speech he had proved he was not ignorant of, he had said, "Let the two metals be a common tender, and let the debtor pay in which he pleases." Now, what, of absolute necessity, must be the first effect of such a measure as this? The hon. Gentleman had told them,—and it seemed to him (Mr. Herries) to be any thing but a recommendation to the measure,—that every individual who owed money would be enabled to pay five per cent less than he was at present engaged to pay. This would, of course, be quite true, if the debtor had the opportunity given him: but there was a difficulty in practice here, which he was surprised the other hon. member for Callington (Mr. Baring) had not pointed out to his hon. colleague. Suppose the Resolutions of the hon. Gentleman to be agreed to, what would be the inevitable result? Why, it would be proclaimed to-morrow from one end of the country to the other,—he need not specify how,—that this House had come to a Resolution, the effect of which might be shortly stated thus,—namely, that every man who had claims payable upon demand, every man who held notes of small or great value, every man who had debts outstanding, would, if he secured the amount of what was due to him before this Resolution passed into law, get the whole of his money; whereas, if he delayed beyond that period, he could only get 95*l.* for every 100*l.* It was terrible to reflect upon the consequences which must follow. What would become of the Bank of England,—what would become of every banking-house in the kingdom,—what would become of all debtors who were liable to pay upon demand all that they owed? Would not all transactions of commerce be suspended, and the whole country present one continued scene of confusion, and consternation, and ruin, when the House of Commons proclaimed to all who had debts due to them, that if they did not collect them on the instant, they would assuredly be losers to the amount of five per cent? But if this scheme were really practicable, as it evidently was not, let them next consider what was called the claim of justice; in which the hon. Member who opened the discussion had, very much to his surprise, been followed by the other hon member for Callington (Mr. Baring). Both these hon. Members had appeared to think, that previous to 1797 men could discharge their debts in silver or in gold, at pleasure. Now this was not the fact.

Mr. *Baring* said, that every man had the right to do so, paying the silver by weight.

Mr. *Herries* said, they could not, even by weight. There never was so great a mistake as to suppose that silver had been the standard of this country throughout the last century. The fact was, that in practice, independently of the law, silver had never been in a state to be used as a tender during the period to which the hon. Gentleman's motion referred. Latterly the law had enacted that it should not be a legal tender. His hon. friend (Mr. Baring) was quite wrong in the case he had put respecting the debt of 100*l.* which his hon. friend contended ought in justice to be discharged by 95*l.*

Mr. *Baring:* I said, that if the law were still the same, a man who owed 100*l.* could discharge his debt for 95*l.*

Mr. *Herries* was contented with that explanation, and still denied that his hon. friend was correct; for the law restrained a man from tendering silver to a greater amount than 25*l.*

Mr. *Attwood* said, that the law which limited the tender of silver to 25*l.* regarded silver coin only. By weight, silver was tender to any amount.

Mr. *Herries* was very well aware of that. He had not forgotten how the law stood; but his argument was this,—namely, that the silver had become so depreciated, that, practically, there was no such thing as tender by weight, while the law limited the tender in coin to 25*l.* As to the double standard, he must repeat, it was clear that in 1792 silver could not be the standard. The prices of commodities were, after the middle and towards the close of the last century, in no inconsiderable degree affected by the worn state of the silver coinage. He should wish that we could avail ourselves of the double standard of coinage to the extent that other countries did, if it could be done without danger; but he feared it could not be done without great danger. There was, however, a great error in supposing that in any country the two metals circulated equally. They did co-exist, no doubt, to a certain extent, but they were not equal; the one rose with respect to the other,—one was the standard at the Mint, and the other was taken at a value which was conventional between man and man. If such a regulation could be made, that a creditor was obliged to take half his debt in one standard, at the will of the debtor, and that the debtor was not obliged to pay more than half in one, and half in the other, it might, perhaps, be practicable to have the two; but he did not see how otherwise the two could exist together. He merely threw out that as a suggestion. But to come back to the great point,—the measure of 1819: the question was, not whether that was the wisest and the soundest course which could have been devised, but whether we were now to alter the standard of currency,—whether we were to do this for the relief of those who had to pay money. Supposing we were to go that little way with the hon. Member in mitigation of the suffering experienced from the Act of 1819, was there any man who thought that we could stop at that little step? "Little," the hon. Member called it, though he did not think so. When the hon. Member had achieved that little victory, was it not more than probable that the hon. member for Essex would afterwards return to the charge he had before made, and endeavour to bring forward his plan of paper currency, and thus bring about a political relapse, which would be much worse than our former condition, and would inevitably end in panic, which would be the destruction of all public and private confidence? The experiment of a small paper currency, without a Bank Restriction Act, we had already tried between the years 1822 and 1826; and how did it end?—Was it not in panic and confusion? Would the hon. Member have another trial of the same kind? If he understood one part of the hon. Member's speech rightly, there was some mysterious kind of allusion to some supposed understanding between the Bank and Government as to the circulation of paper. All he would say on that head was, to pledge himself that no such understanding existed. Reverting to our present state, and to what our state might possibly be in future, though he meant not to prophesy, for that would be dangerous on a subject where so many had been deceived; but the hon. Member (Mr. Baring) had said, that having passed the danger of a decline of prices, we were now, at last, got upon a safe landing-place. He hoped we were so; but if we were, what inconceivable boldness to depart from that safe ground, to venture upon that which must again bring us into uncertainty and danger! And yet the hon. Member declared his readiness to vote for one part of the Motion before the House, which would take us from the certain landing-place. To such a step, however, he (Mr. Herries) could not consent. He had expected to hear much of the question of small notes in this discussion, but it seemed to have been discarded as it were by universal consent. The hon. Member who opened the debate had omitted it, and the hon. member for Shaftesbury had also left it out of consideration, with some expression of regret that the two questions should be at all mixed up. Under these circumstances, he (Mr. Herries) might be excused for not going into it. If, however, it were necessary to do so, he could have no difficulty in showing that a reintroduction of a small-note circulation would be most objectionable, on many grounds. He would only remark, that if the debtor was to be relieved by paying less than what he owed, for that seemed one great object, he would rather attempt it, as a choice of difficulties, by an alteration of the standard than by an infusion of a small paper currency. There certainly would be less mischief, less confusion, and less violation of faith in the former than in the latter remedy. He must say a word as to the temptations—no slight ones in such an audience—which the hon. Member held out in support of his plan: it was to raise rents, to increase profits, to stimulate industry and commerce, and to relieve the labouring poor. Admitting that it might have the effect of raising rents and prices, and thus assisting the rich, he was utterly at a loss to conceive how the raising the price of commodities could relieve the poor. If the labourer were under pecuniary obligations, he might be able to discharge them in a cheaper currency; but this was a condition in which he was not likely to be placed: but that he could get more wheat for the price of his labour, was what he could not understand. After all, the question came back to this—that it would enable parties to pay what they owed in a cheaper currency. No ground for the adoption of the plan could be made in the alleged want of a sufficient circulating medium. He had had opportunities of communication with those who were in circumstances to employ labour to a considerable amount, and he had never heard any complaint of a want of money from the removal of the 1*l.* notes. All those with whom he conversed, not only said that there was no such want, but expressed their surprise that there could be any doubt on the subject. Looking, then, at the wants of trade, the interests of commerce, and the general stability of property, he could see no ground for the adoption of a plan which would benefit none of those interests, except, as he had said, in the payment of debt. But, taking that as a desirable advantage, he would beg the House to consider at what a price it was to be obtained. See what were the contracts and obligations entered into since 1819, on the faith of the measures then adopted, and would it not be a greater evil to break those than to leave some debtors without the relief which they desired? Admit that injustice was done to many—to all who had to discharge pecuniary obligations by the measure of 1819, would the proposed remedy relieve those parties? No doubt it would not, but it would injure others to just the same, or perhaps a much greater, extent; and then he would ask, were we now to do injustice to the one party because we had heretofore done injustice to another? Such a proposition was monstrous, and had against it all the reasons which the hon. Member (Mr. Attwood) had himself urged against the measure of 1819, with this additional, and, as it appeared to him, insurmountable objection,—that the measure now proposed would in no way remedy the practical evil of the former. For these reasons, then, being opposed to the double standard as not practicable without great injury, and being satisfied that the standard was now in the same state as before 1797, he could not consent to a motion which he felt would have, before the setting of the next sun, an effect in creating a panic and confusion, such as could not be described, and which it would then be too late to remedy. He must, therefore, call on the House to join him in giving a decided opposition to the hon. Member's Motion.

Lord *Howick* said, that though he concurred in a great deal of what was said by the right hon. Gentleman—though he admitted that the proposed measure would not afford any practical relief from the measure of 1819,—yet, when he reverted to that, he must admit that great injustice had been inflicted by that measure. At the same time, he could not concur in the view taken by the hon. Mover. The hon. Member said, that the proposition would have the effect of restoring the ancient standard as it was before the year 1797. It would not be very difficult to give an answer to that statement, if the hon. Member himself, in the most eloquent part of his speech, had not given it a most satisfactory refutation. The experience of the last half-century had afforded practical illustrations of the danger of altering the standard to relieve those who were injured by former alterations. If, however, the hon. Member had confined himself to a motion for a committee upstairs to examine the subject, he should not object to go into such an inquiry. All that he had read, and all that he had seen, induced him to be extremely cautious in giving any countenance to an alteration of the existing system, without due consideration and inquiry. But, in refusing his assent to this proposition, he could not agree with much of what had fallen from the Master of the Mint, because he thought that the measure of 1826 was no decisive security against a recurrence of the same evil under which the country had suffered. The fault of our banking system, about that time, was not to be traced to any deficiency of solvent banks, because many of those banks which had stopped payment, afterwards redeemed their pledge. It was to a mixture of both, to a mixture of banks with property, and of banks without property, that all the mischief was to be traced. When confidence was destroyed, there was, of course, a stagnation of credit; and though the small notes were removed, confidence was as essential to our present system as to any other which this country had known. In 1825, we were on the point of a fresh Bank Restriction. And how was that prevented? Why, by the forbearance of the Bank of France, and by the generous conduct of some private bankers and merchants at home. But for the forbearance on the one side, and the liberality on the other, we should have been, as the right hon. member for Liverpool had said, in a state of barter within forty-eight hours. Now, if instead of a period of peace and tranquillity, this had occurred in a time of war and commotion, what must have been the consequence? Had 1*l.* notes been issued, there would of necessity have been a run on the Bank. It was not necessary for him to argue whether that state of things could have been remedied or not. His argument was, that, in point of principle, there was no difference between a circulation of 5*l.*

notes, and a circulation of notes below that value. In each instance, the stability of the system depended on the power which the party issuing notes possessed to meet the demand in specie. Before he sat down, he could not but regret that the right hon. member for Liverpool had not taken this opportunity of moving for the appointment of a general committee, to inquire into the banking system of the country, of which he had given notice. He thought that the committee would agree with him on the subject of 1*l.* notes, and would put an end to that strange anomaly which allowed one system to prevail in England, and another in Scotland and Ireland.

Mr. *Ward* said, that he had made inquiries relative to the supposed application to the Bank of France, and he had been unable to ascertain that any such application had been made by the Bank of England, or on its behalf. The fact was, that the Bank of England had not suffered any difficulty on its own account in consequence of the panic, for it was perfectly competent to meet all its engagements; but its embarrassments had arisen from the efforts which it made to relieve the difficulties of others. No establishment could be more secure against any inconvenience of the kind, so far as its own immediate concerns were in question; but when those who were largely engaged in money transactions found themselves embarrassed, the Bank exerted itself for the benefit of others, and if it had not been for the efforts made with that view, it would have experienced no difficulty whatever. The hon. member for Callington (Mr. Baring) said, that if a war were to break out, we should run the risk of a great embarrassment from having our currency limited to a gold standard; but he would beg to remind the hon. Member that it was not the last war which occasioned the difficulty in the gold currency. It was several years after the war, when various establishments had large payments to make abroad, that a difficulty was found in obtaining treasure. He did not undervalue the difficulties of dealing with the currency, but he thought they were exaggerated by the hon. member for Callington. He considered that it was better that those who were to influence the paper circulation of the country should be regulated by one metal than by two or three. If the Bank had the power to pay in any one of three metals, the moment it made a change from one to another, doubts would arise as to its solvency, and a panic would ensue. It was argued that gold ought to be regulated by the price of corn; but it should be recollected that, at one period during the last war, the expense of conveying corn to this country from abroad was 52*s.* per quarter. So in scarce years the standard would, by this regulation, be subject to very great fluctuations. The other hon. member for Callington expressed his regret at the withdrawal of the 1*l.* and 2*l.* notes. He was not delighted at that measure, but he felt that if a panic were to occur, its effect would be much worse with those notes in circulation than without them. The panic ought not to be attributed wholly to the alteration of the currency. It should be recollected that at that period large speculations were entered into, some of them very wholesome and prosperous, but others of a different character, which involved men in heavy engagements at home and abroad, and these, superadded to some little derangement of the currency, had caused the panic; but he could not help believing that the experience acquired on that occasion would be attended with beneficial effects. The nature of the hon. member for Callington's second Resolution was, that we should undo what had been erroneously done in 1826; but he could not help thinking, under all the circumstances of this country, that it was not advisable again to issue small notes. With regard to silver, it should be recollected that it was in greater abundance since the period alluded to by the hon. Member than before. On the subject of a double standard, he meant to say that he objected to it upon principle. More than one standard would amount in effect to no standard at all. If there were a double standard in money, why should there not be two bushels for measuring corn, two yards for cloth, or two furlongs for measuring distance. The principle would be the same. Another objection which he had was, that experiments were in progress in the mines, the result of which it was impossible to foresee. If there were a double standard, an opportunity would be given to persons owing money to discharge their debts in the cheapest metal: and should the result of these experiments be to throw a considerable quantity of silver into the market, the double standard would then be dishonest as well as disadvantageous. Whatever the standard might be, he thought it ought to be placed on such a basis as to guard against those fluctuations which had recently occurred, and which exposed the property of every man to risk. He should vote against the motion of the hon. member for Callington, considering it totally unsuited to the circumstances in which we were placed.

Mr. *Poulett Thomson*, though he greatly admired the speech of the hon. member for Callington, yet he could not help thinking that the whole of it favoured the very doctrine which he professed to oppose. The point which the House was called on to decide was this—whether or not it would agree to pass a Resolution, to the effect that silver, at a depreciation of 5-per-cent, as the hon. member for Callington thought, or, as he would say, at a depreciation of 3 or 4-per-cent, should be made the standard. If he were called upon to argue the question whether, in 1819, the Legislature acted wisely or unwisely, in not going back to the ancient silver standard, he should arrive at a very different conclusion from that which he should come to were the question put to him whether or not they should now abandon the gold standard, and have recourse to the old standard of silver. He was of opinion that silver was the best standard, and he found himself supported and confirmed in that opinion by the authority of Locke, of Harris, and of others. The very fact of silver being the standard in other countries ought to recommend it. That circumstance of itself gave it a value as a standard almost sufficient to turn the scale in its favour, even if other circumstances were equal. Again gold was more liable to fluctuations—for example, the war in the east raised the value of gold 1½ or 2-per cent. That fraction might appear of little value in the eyes of some hon. Gentlemen, but he could assure them that in the large money engagements of such a country as this, that fraction, small as it might appear, was a matter of considerable moment; further, he could not be induced to think gold a good standard, liable as it was to so many causes of depreciation. Then the state of South America should be borne in mind, and the fact particularly remembered, that very little was at present known respecting the mines in that country, though some information might speedily be expected, which information would probably most materially affect the value of gold, and it might become the cheaper metal of the two. The debtor was entitled to due protection, as well as the creditor; but how were they to pay due respect to the rights of both, if they interfered with the existing standard? Gold was now spread over the country, and should the issue of notes take place, ten or twelve millions of gold would instantly find its way up to London and be exported, and that would be succeeded by the series of fluctuations which took place in 1824, 5, and 6. For these reasons, and having paid the price of the change which had taken place, he should be averse to any further change, and should, therefore, vote against the motion of the hon. member for Callington. He could not conceive the possibility of a double standard. If they adopted two, they, in effect, adopted none at all. The other hon. member for Callington had said there was a double standard in France, but the fact was, that standard existed more in name than in practice. Ever since 1785 gold was not practically the standard, and there, as well as in this country, before the war, silver was, in all cases, the standard. He complained of the measure of 1826, not as the repairing of a system that had done much service, but as the total breaking-up of the whole machine. A paper currency which that destroyed, was one of the greatest improvements of modern times, and a departure from it, he could not but consider as a return to barbarism.

Sir *E. Knatchbull* expressed his perfect concurrence in the latter part of the speech of the hon. Member, and also in that of the noble Lord behind him (Lord Howick.) He believed that the time would soon come when the question of paper issue would be forced on the attention of Government, notwithstanding its repeated declarations that it had been set at rest for ever. In his own opinion, a limited paper currency, founded on a secure basis, and placed under proper regulations, would be the best means of administering relief to the people who had been so long suffering from distress. But these questions might be reserved for an early stage of next Session, when they ought not to lose a moment in entering at once into the subject, when he had no doubt it would appear that the principles advocated by the noble Lord and the hon. Member were sanctioned by those who were best informed on the merits of the question, and who therefore were most competent to form a correct opinion on our policy.

Mr. *Cutlar Ferguson* felt a difficulty as to the Resolution respecting a double standard, for which he could not bring himself to vote. He was quite aware of the immense advantage which commerce would derive from a silver as well as a gold standard; he acknowledged that it would prove a great resource at a period of calamity; he was convinced that they might have averted the public distress, a few years ago, if they could in this respect have followed the example of a neighbouring country; but he principally objected to the proportion which the hon. Member had talked of establishing between gold and silver. As to the other Resolution, he could by no means allow that the restoration of the small notes would be the means of depreciating the currency, or would be likely to create any change of price. A small currency was pre-eminently useful in the retail trade, and a cheap and secure currency would be most beneficial for the country. The hon. Gentleman concluded by saying, that he should vote for the second Resolution of the hon. member for Callington.

Mr. *Huskisson* assured the House, that it was his intention to say only a very few words on the subject before them. He was perfectly convinced that the more frequently it was brought under discussion, the more clear-sighted would Members become as to the danger arising from an inordinate propensity to voyages of experiment, which too frequently involved the most fearful consequences that could befal such a country as that for which they were legislating. He rose, however, principally for the purpose of stating his impression that the result of the present, as well as of all former discussions on the currency must be a general conviction that they were now arrived, after all their sufferings, at a state at which wise men would be willing to stop, rather than place the whole system once more in jeopardy, by a renewal of unseasonable experiments. He entirely acquiesced in the opinion already given by the right hon. Master of the Mint, and trusted that this subject, as well as the Catholic Question, would be completely forgotten in the next and all future Sessions, although they had been but too often obtruded on their attention hitherto. Both of the resolutions submitted by the hon. member for Callington he should feel obliged to oppose, as the first would be productive of bankruptcy and ruin, whilst the second would lay the foundation of future panic and public danger. He agreed with the hon. Member opposite in his estimation of paper credit and paper circulation as one of the greatest improvements of modern times. The noble Lord near the hon. Member had alluded to his intended motion respecting banking, with reference to which he might take this opportunity of mentioning that he purposed, before the expiration of the present Session, to move a resolution to the effect that they should institute an inquiry into the whole banking system previous to a renewal of the charter of the Bank of England. He altogether concurred with the Master of the Mint in thinking that, if the House agreed to those Resolutions to-night, there would be a general panic amongst the people to-morrow, and that before the lapse of a week it was probable there would not be a sovereign remaining in the country.

Lord *Milton* said, he should vote against the first Resolution because it was in favour of a depreciation, and not on account of any objection to a silver standard. It was his intention also to vote against the second resolution, but he did so for reasons distinct from those which influenced his vote upon the other. He thought with the right hon. Gentleman who had just spoken that it was now high time for them to desist from venturing on hazardous experiments.

Sir *R. Peel* said, he should not detain the House many minutes, and whenever he made such a promise he invariably kept his word. The extraordinary abuse, however, which the hon. member for Callington had so liberally bestowed on the bill with which his name was connected he thought would be sufficient to justify him in making a few observations; and first, he begged leave to express his lively sense of the obligation which he owed to that hon. Member for having at length brought forward what he called his practical measure, as by doing so, he had certainly that night contributed more to the settlement of the question than by all the merely theoretical speeches which he had been delivering for years. Ever since 1819 had the hon. Gentleman been dealing out diatribes and invectives against the policy on which Government had then acted, while he kept in the back-ground his own notions as to what it behoved the Government to have done if it wished to relinquish the obnoxious and denounced system of paper-money not payable in gold. He had now, therefore, fairly abandoned declamation, and concocted a practical measure, which amounted to neither more nor less than a plan to enable every person to pay a debt of 100*l.* with 96*l.*, deducting four per cent. He confessed he felt some surprise at seeing the hon. Member take the course which he was doing, as this was no proposal for a double standard, his object being merely to recur to the standard established by Sir Isaac Newton 112 years ago. It was impossible that the scheme suggested could be productive of any good whatever. He was willing, for the sake of argument, to concede that the bill of 1819 had been the means of effecting all the injury which its opponents had alleged it to have produced; but even assuming that to be true, the hon. Member would do still further injury to those who were supposed to have been injured by the measure of 1819. Many relying on the solemn resolutions and assurances of Parliament, would have wound up all their accounts prior to 1819, submitting to the loss which they had then incurred, and now therefore might stand in the relation of creditor, and as such would sustain new injury, instead of experiencing any redress. But the proposition, in fact, carried its own refutation with it at the very outset, for it could not be acted on before a month from the present time, so that the creditor might clearly take advantage of the interval. He was sorry to hear hon. Members speak of opening this wearisome subject once more next Session, because it ought now to be left at rest if ever. Four changes had taken place in the currency during the last thirty years, and it was surely at length time to try the effect of a continued adherence to one system. The system at present in operation he was confident presented as few objectionable features as any other that could be proposed, and had been strongly recommended by the first Lord Liverpool while the former system was yet in healthy existence. The notion of a double standard was totally fallacious, and would be found impracticable in effect, nor had it been ever for a moment entertained by Mr. Locke, or any others who had advocated a silver standard. It was now ten years since the measure alluded to had been the law of the country, and engagements and contracts had been entered into which it would be the worst of policy to unsettle or disturb, particularly as it was now impossible to administer the redress required. With respect to the 1*l.* note circulation in Ireland and Scotland he could see no absurdity whatever in its existence there while it was prohibited in England, although it certainly might be desirable to see it abandoned there also if the measure could be introduced without inconvenience. If they were to act as the hon. Gentleman recommended, in the event of a panic there would be a simultaneous call for gold; the applicants would not desist the more for being told that those on whom they had a claim were solvent and able to satisfy their demand if they would consent to a temporary delay; all would turn to confusion, and public ruin must be the consequence. He should, for these reasons, give his decided opposition to the first resolution, because it was unjust, and to the second likewise, because, though less unjust, it was equally inexpedient.

Sir *R. Vyvyan* would vote with the hon. member for Callington should he press his resolutions to a division. The hon. Member had not been fairly met: indeed his arguments were irrefragable, and would make their way to the conviction of every unbiassed mind the more they were canvassed. It was absurd to say the question of the currency had been set at rest for ever. It was not set at rest—it could not be continued on its present footing; for the change which had been made in it in 1819—which by the way was not completed so as to have unchecked operation till the measure of 1826, abolishing the 1*l.* notes,—was the main cause of the distress under which the country had so long laboured. There was one class, and but one class, who were benefited by the present system of the currency, and who would be injured by its being restored to its ancient proper condition; namely, the pensioners of the Crown and the great officers of the State, who enjoyed, in the improved metallic currency the increased allowances granted in a depreciated paper one. Those gentlemen had an interest in resisting the hon. member for Callington's motion; but the public at large, who paid those pensions, particularly the industrious working classes, had a stronger interest in its suc cess, and would, he was confident, ultimately triumph.

Mr. *Warburton* was opposed to both the resolutions of the hon. member for Callington, because he thought the effect of the first would be, to expel all the gold coin from the country, while that of the second would be in the end to make paper occupy the place of the silver currency, which would be established by the first resolution.

Mr. *Maxwell* was in favour of the resolutions. From the moment, he said, that the suppression of the 1*l.* notes should be extended to Scotland and Ireland, it would be found impossible to persist in the measures of 1819 and 1826. Too many thanks could not, he thought, be bestowed on the hon. member for Callington for bringing forward the present motion, opposed as he was by all the placemen, half-pay officers, younger brothers, and other ministerial hangers-on in that House, who alone profitted by a system of currency which was destructive to the working classes, and injurious to all others. He had his reward, however, in the gratitude of the industrious poor, to the bettering of whose condition his efforts had been so ably directed.

Mr. *Attwood* replied: The right hon. Baronet has most unjustly ascribed to me motives, by which I have been in no degree influenced. He imputes that I bring this question before the House, in consequence of some challenge from him; but I assure him, that before I heard this assertion of his, no thought of that nature occurred to my mind; and I desire to assure the House, that in submitting to its consideration the measures I now propose, I have acted in discharge of a higher duty than admits a mixture of personal considerations. I regret to perceive, that the right hon. Baronet himself is unable to subdue that deep personal interest which involves him with this question, and to weigh the whole matter with reference alone to the claims of justice, and to the interests of the country. I complain of the hon. Baronet, that he unfairly misrepresents my argument, when he ascribes to me an inconsistency between the measures I now propose, and opinions which I have previously expressed. After having told the House, says the right hon. Baronet, of great errors committed by the Legislature, and of great advantages to be obtained by repairing those errors, now, when I bring forward a practical measure, I have nothing better to propose than a trifling relief of four or five per cent on public burthens, to be obtained by paying with 96*l.* debts of 100*l.*; and he has said, that I admit thus the erroneous character of opinions I have before expressed. But I distinctly affirmed, that in my view the claims of justice and the interests of the country demand the adoption of more comprehensive and effectual measures than those which I now propose; but that yielding to the declared, though mistaken opinion of political parties, and neither abandoning nor compromising any opinion I have ever expressed, nor my hostility to all the principles of the present system, I stated that I had brought forward the measures now proposed, because they were calculated to give some relief to the people, and were yet such as could not be opposed by the advocates of the Act of 1819, unless they abandoned all the principles on which they have recently rested their support of that Act. The right hon. Baronet, however, pursuing a course of inconsistency rarely equalled in Parliament; first, supporting the Act of 1819, on the ground that it was a measure of little difficulty; then abandoning that ground, and asserting that the faith and pledges of former Parliaments required in 1819 the re-establishment of the standard of 1797, whatever evils should be inflicted; he now abandons again this latter plea, the faith of Parliament, and the standard of 1797, and sees no necessity for regarding either. My first resolution rested on the very principles on which he has recently supported the Act of 1819, on the necessity of bringing back the standard of 1797. This is what I have proposed. But the right hon. Baronet says further, that by restoring now the standard of 1797, contracts formed in 1819 would be unjustly changed to the extent of four or five per cent; but he unfairly views my measures. I will shew him the other side of a question of which he views a part only. In this country exist innumerable contracts, every one of which has date before 1819; and was formed either in the double standard prior to 1797 or the still cheaper standard of the Restriction Act. This class of contracts he overlooks. His own salary belongs to that class. All the salaries of his friends around him belong to it. These have been all paid in money of unjust value for the last ten years, to the wrong of the country

—in money of a value for which no pretence can be offered. Every existing tax, every pension, all the salaries and expenses of the Government, belong to this class; all of these the right hon. Baronet leaves out of consideration in order that he may impute injustice to my proposition. The right hon. Master of the Mint says, that I have mistaken the law, for that silver had ceased to be a legal tender for many years prior to the Bank Restriction Act, except for sums under 25*l.* This limitation, he avers, took place in 1774, and he quotes Lord Liverpool's letter in support of his statement. If the Master of the Mint's law be correct, there is an end of the whole question: I admit it. But he is mistaken. I hold here the work of Lord Liverpool, and his words are, which are in fact the words of the Act of Parliament of 1774, "that no tender in the silver coin of this realm, for any sum exceeding 25*l.*, should be counted a legal tender for more than the value by weight, at the rate of 5*s.* 2*d.* an ounce." Silver coin was, therefore, under this law, legal tender to any amount if of full weight, and to the amount of 25*l.* though deficient in weight. But even this law, which required silver coin to be of full weight, existed no more than nine years. It was enacted in 1774, and expired in 1783, after which period, silver coins of weight, or not of weight, were legal tender; and I cite, in support of that opinion, though no support is requisite, a statement of Mr. Vansittart, in this House, when Chancellor of the Exchequer, who said that, prior to the Bank Restriction Act, the interest of the public debt might legally be paid in crooked sixpences. The Master of the Mint has further urged, that prior to 1797, gold money was mainly the medium of circulation, and that silver money did not, in fact, exist to any great extent. I have shewn him the reason of that. Gold was the cheapest metal then, as silver is now. Silver was then generally five, sometimes ten, per cent above the Mint price. But the law remained then unchanged, as it had remained from the time of Elizabeth; the Mint was open by law. At no period from the time of Elizabeth, till the Bank Restriction Act, was any subject of this realm debarred from taking silver to the Mint, procuring it to be coined at 5*s.* 2*d.* the ounce, and discharging his engagements in that money, if it were his interest to do so, which is what I now propose. But I am mistaken, the Master of the Mint tells me, in supposing that this measure can assist the labouring classes. It will raise the price of provisions, says he; and is the labourer to profit by that? I have explained it; and will do so again. Provisions will be advanced, and wages also. An alteration in the value of money will affect each of these alike; but the taxes will not advance. They will remain at the same nominal amount as now; and the labourer, to some extent, therefore, will be relieved from their pressure. This measure will fall on all who receive the taxes; on the right hon. Gentleman and all his colleagues; but it will relieve all those by whom taxes are paid. I advert, for a moment, to an argument of the right hon. member for Liverpool. He warns the House of the danger of unsettling the present monetary system. Great calamities and disorders, he says, have been occasioned by our former measures; and great dangers are to be apprehended if the House should be induced to revise what they have done. He proclaims, by this course, the incompetency of the House to deal with these great interests. But the right hon. Gentleman himself, with strange inconsistency, as he stated at the close of his speech, has a change to propose; and it is not a little singular that every individual Member who has spoken against this Motion, has deprecated, as the member for Liverpool has done, any change being attempted by the House. They see nothing but disorder and danger in change or revision. But it is still more singular that every individual amongst them has, like the right hon. Gentleman, a change or scheme of his own; some scheme, project, or invention,—some little measure,—some petty nostrum, every Gentleman is in possession of, for improving the monetary system;—an improvement of the banking system is, I think, the scheme of the right hon. member for Liverpool. Amidst all the calamities which these previous experiments and improvements have occasioned, with all the evidence which the disasters of the country give of their incompetence; instead of acting as I call on the House to act; instead of retracing their steps—of revising their measures and their errors—of repairing the mischiefs they have occasioned, they still desire to proceed with unabated presumption to the execution of new experiments, improvements, projects, and inventions. The hon. Member, in conclusion, stated, that in compliance with the wishes of many who entertained opinions similar to his own, he should not divide the House on his Resolutions.

They were accordingly negatived without a division.

FORGERY.] Sir *R. Peel* moved the second reading of the clause added to the Forgery Punishment Bill. The right hon. Baronet said, he would take that opportunity of making a statement to the House, in reference to something which had fallen from the hon. and learned member for Knaresborough last night. When he (Sir Robert Peel) stated that he had communicated with six of the most respectable merchants in London, expressing to him their apprehensions of the consequences if the punishment of death was abolished, he was met by the statement, that two of these very gentlemen had permitted a person charged with forgery to escape the hands of justice. Now, he held in his hand a letter, signed by all these gentlemen, dated that day, in which they asserted that the statement he had just alluded to was entirely without foundation; and they requested that he would communicate the contents in the most public manner to the House. He did not know any thing of the circumstances of the time, but, fortified by this authority, he wished to state it to the House.

Mr. *Poulett Thomson*, in the absence of the hon. and learned member for Knaresborough, would take the opportunity of saying, what he was sure that hon. Member would have said himself if he were here—namely, that he was sorry to have made any statement which could give pain to any party. This he did the more readily, because he was the channel of communicating the fact to the hon. and learned Gentleman. He hoped the House would be satisfied with this explanation.

Mr. *Fowell Buxton* could not concur in what had been stated by the hon. member for Dover. He had reason to believe that the statement was substantially correct as to the fact, though inaccurate as to date. The fact was, that a forgery was committed upon the house of Shipman and Co., of George-court, upholsterers; and, when it was recollected that the party accused was the father of nine children, some excuse would be made for these parties not prosecuting. But there was no doubt that the forgery took place.

Mr. *Warburton* knew a case in which a banker, though a member of the association, declined to prosecute a party accused of forgery, but, under circumstances which, when explained, seemed quite satisfactory.

Sir *Robert Peel* said, the question was, whether the parties abandoned the prosecution from a dread of inflicting the punishment of death?

Mr. *F. Buxton* had been informed, on high authority, that the substance of what he had stated was capable of proof in every part, as stated by the hon. member for Knaresborough, except the date.

The clause read a second time, and the Forgery Bill passed.

HOUSE OF LORDS.

Wednesday, June 9.

MINUTES.] Petitions presented. By Earl FITZWILLIAM, from Ingburchworth, Thurlstone, Hunshelf, Oxspring, Peniston, and Langsett, for holding Assizes at Wakefield; from Unitarians at Hull, for the Abolition of Slavery; from the same parties, against the Punishment of Death for Forgery; from the same parties, in favour of the Jews. By Lord TEYNHAM, from Sudbury, complaining of Distress.

HOUSE OF LORDS,

Thursday, June 10.

MINUTES.] Sir J. MACKINTOSH, and others from the Commons, brought up the Forgery Punishment Bill.

Returns ordered. On the Motion of the Earl of MALMESBURY, the quantity of Malt Liquors which paid Duty in the year ending January 5, 1830.

Petitions presented. By the Duke of NORFOLK, from the Roman Catholics of the County and Town of Galway, in favour of the Galway Town Regulation Bill:—By the Marquis of LANSDOWN, to the same effect, from the Merchants, Traders, Freeholders, and others, of the Town of Galway. By the Marquis of ORMONDE, from the Licentiate Apothecaries of the Town of Kilkenny, against the Medicine Stamp Duty. By the Earl of RADNOR, from Bolton, for the Repeal of the Corn-laws; and from Calne, for the Opening of the Trade to India. By Viscount LORTON, from the Local Directors and Managers of the Provincial Bank of Coleraine, against the Punishment of Death for Forgery. By Lord WHARNCLIFFE, from the Protestant Dissenters of Henley, in Yorkshire, for the Abolition of Slavery; and from Stansfield, for the removal of the Assizes to Wakefield. By Lord HOLLAND, from the Seamen of the Port of Poole, against the stoppage of a portion of their Wages towards the support of Greenwich Hospital; from the Operative Spinners and others of Oldham, praying for a Law to prohibit all persons under twenty-one years of age from working in the night in Cotton Factories; from Leighton Buzzard, Bedfordshire, against the Punishment of Death for Forgery; and from the Liverpool Co-operative Society, against the Monopoly of the East India Company. By the Marquis of LANSDOWN, from the Inhabitants of Maidenhead, against the Punishment of Death for Forgery; and also from the United Parishes of Ardagh and Moneymore, against the Tithe System in Ireland. By Lord CALTHORPE, from the Paper-makers of Gloucestershire, against the substitution of Machinery for Manual Labour. By the Marquis of DOWNSHIRE, from Maglass, for the regulation of the Tithe System; and from the Freeholders of the County of Down, against the Spirit and Stamp Duties, [In presenting this latter Petition, the noble Marquis said, that the Petition was worthy the consideration of the House, from the respectability of the petitioners, and the importance of the subject to which it referred. He begged, however, to be understood as not giving an opinion relative to the subject of taxation alluded to by the petitioners.

The Marquis of *Londonderry* moved that the Petition be read at length. He described the county of Down as being the Yorkshire of Ireland; and added, that the subject to which the Petition referred had caused Ireland to be in a state of ferment. The Petition was well worthy of their Lordships attention; and he was sure, if the financial measures which had been announced, were carried into execution, they would throw Ireland into a flame.

The Marquis of *Downshire*, in explanation said, that his only desire in not expressing his sentiments respecting the object of the Petition was, that he might not prejudge the question, which would hereafter come before the House for discussion. He said that, whatever imposts might be considered essential, he trusted that they would be laid on with wisdom and consideration.

The Petition read at length.]

Abolition of Fees Bill.] The Earl of *Darnley* felt that he should be taking upon himself too great a responsibility if he were not to proceed in the Bill (for the Abolition of Fees on the Demise of the King) which had on a former evening come before their Lordships. Whatever delicacy therefore was involved in the subject, and certainly he wished that it had been brought forward at another time, he meant, with their Lordships' permission, to carry though the Bill. He fully concurred in what his noble friend near him (the Marquis of Lansdown) had suggested respecting the hardship which would be imposed upon a class of persons to whom the country was indebted—he meant the subalterns holding commissions in his Majesty's army—unless they were relieved by such a measure as that now proposed. He begged to say, that on Monday next he should move for the committal of the Bill; and he trusted by that time the noble and learned Lord on the Woolsack, and the noble Earl who had taken part in the discussion of the former evening, would be prepared with some alteration to the clauses to which they objected, so as to enable the House to pass the Bill without further delay.

Drainage of Bogs (Ireland).] The Marquis of Downshire having moved the Order of the Day for the committal of the Irish Bogs Drainage Bill,

The Duke of *Wellington* rose to request its postponement until Monday. He did not expect that a Bill of so much importance could be pressed forward this Session. The measure required to be examined in detail, and care must be taken that it be free from abuses. But this Bill was very objectionable in its present form: for instance, it enabled any person in possession of a portion of a bog in any part of Ireland to apply to the Lord-lieutenant to appoint commissioners to drain such bog. The commissioners were endowed with powers greater than those which even the Grand Juries of Ireland possessed. The commissioners had a power of raising money—of distraining on lands which had been drained;—in short, they had powers much beyond those given to commissioners in this country under Enclosure Acts. The noble Duke then suggested the propriety of postponing the committee, in order that the Bill might undergo all the necessary improvements before their Lordships were called upon to pass it.

The Marquis of *Downshire* concurred in the suggestion of the noble Duke, and the committee on the Bill ordered for Monday.

HOUSE OF COMMONS,

Thursday, June 10.

Minutes.] Returns ordered. On the Motion of Mr. S. Rice, of the Works in progress under the authority of the Commissioners of Records (Ireland):—On the Motion of Mr. W. Peel, Second Report of the Commissioners appointed to inquire into Real Property:—On the Motion of Mr. G. Dawson, the expense of all Prosecutions for Libel during the reigns of his late and present Majesty, and the expense in detail of prosecuting Mr. Alexander.

Mr. Maxwell brought in a Bill to regulate Assessments for the Poor in Scotland. Mr. Alderman Wood brought in a Bill to prevent the spreading of Canine Madness.

Petitions presented. Against the Spirit and Stamp Duties (Ireland), by Mr. Prittie, from the Freeholders of Tipperary:—By Colonel Bernard, from the Freeholders of King's County:—By Mr. S. Rice, from Lower Conelloe and Shannit:—By Mr. O'Connell, from Tulla, Clare. Against the mode of appointing Surgeons to County Infirmaries (Ireland), by Mr. Hutchinson, from the Surgeons of Tipperary. Against the Administration of Justice Bill, by Mr. Sadler, from the Corporation of Macclesfield. Against the use of Climbing Boys, by the same hon. Member, from Newark. For the repeal of Vestries Acts (Ireland), by Mr. King, from the Roman Catholics of Whitechurch and Kilmacabea:—By Mr. O'Connell, from Aglis (Cork) and Bandon Bridge. Against the Payment of 6*d*. to Greenwich Hospital, by Colonel Wilson, from the Seamen of Whitby. For the Abolition of Slavery, by Mr. Macauley, from the Inhabitants of Southampton. For the Repeal of the Hop Duty, by Mr. Curteis, from the Hop Planters of Heathfield. For the Abolition of Tithes (Ireland), by Mr. Carew, from Maglass, Ballymore, and Kilrane:—By Mr. O'Connell, from Cappoquin and Seapatrick (Down). For Abolishing the Punishment of Death for Forgery, by Mr. S. Rice, from the Managers of the Provincial Bank of Ireland at Waterford. For encouragement for a Plan for giving security to Miners, by Lord J. Russell, from Wm. Wood. Complaining of the Governors of Kilmainham Hospital, by Mr. T. Duncombe, from Wm. Warren. For compensation under the Chancery Registrars Bill, by Sir C. Wetherell, from James Bird, Clerk of the Exceptions.

Clyde Navigation Bill.] Mr. *H. Drummond* moved that this Bill be recommitted. He did this, because the Committee of Appeal had found that there was a deficiency of evidence to prove the preamble. It would be a great hardship to the parties to lose their Bill from what appeared to be an omission which might have been easily supplied.

Mr. *C. W. Wynn* was very reluctant to trouble the House on this subject; but it was one of very great importance, as their proceedings on this would be a guide for the future proceedings of the House in all similar cases. If, after the Appeal Committee had reported that the allegations of the preamble were not proved, and that the two most material points of the Bill were supported by no evidence whatsoever, the House should agree to recommit the Bill, he thought they would be acting very inconsistently.

Colonel *Wilson*, as a member of the original Committee, thought the Bill ought not to be recommitted.

Sir *J. Graham* said, that as to the authorities respecting the merits of this Bill, they were pretty nearly balanced. Thirteen out of the fifteen members of the original Committee were in favour of the Bill as it stood, and six out of the seven members of the Committee of Appeal were against it. The parties, he had good reason to know, were prepared with more evidence in support of the preamble; but thirteen out of fifteen gentlemen being of opinion that there was already enough to support the preamble, no further evidence was adduced. Under these circumstances, he was strongly of opinion that the justice of the case required that the Bill should be recommitted,—not, of course, to the same Committee as before, but to gentlemen of the other list for Scotland.

Mr. *O'Connell* said, that if the decision of the Committee of Appeal was not to be considered as final, there would be no end to litigation in that House, and the appointment of such tribunals as Committees of Appeal would be worse than useless.

Mr. *W. Dundas* contended that the Bill ought to be recommitted.

Mr. Alderman *Waithman* thought the decision of the Committee of Appeal ought to be final.

Mr. *Littleton* had great doubts whether this was a proper case to be referred to a Committee of Appeal, and for that reason he had not voted on the question; but after the House had agreed upon such reference, he thought they would be acting inconsistently if they recommitted the Bill.

Mr. *Sykes* should vote for the Bill being recommitted, but not to the same Committee from the decision of which the parties had appealed.

Sir *R. Inglis* thought the matter ought not to be re-opened after the decision of the Appeal Committee.

Mr. *Kennedy* said, that the Appeal Committee had only found that there was not evidence enough to support the preamble; but did it follow from that finding that the parties should not be allowed to supply a defect of evidence, which defect had been solely caused by thirteen gentlemen out of fifteen being of opinion that they had evidence enough?

Mr. *Maxwell* thought, the public interests required that the Bill should go again to a Committee. The Appeal Committee went through the matter with such haste, that it did not give an opportunity to many parties who were interested in the Bill to come before it, to be heard in favour of the Bill.

Mr. *C. W. Wynn* said, a word of this was never mentioned by the counsel for the Bill before the Appeal Committee.

Sir *T. Acland* said, the ground on which he had voted for the Appeal Committee was, that the Committee on the Bill had made an award of 16,000*l*. without having any evidence to support it. He should now wish to have the opinion of the chair on two points—first, whether, if in the progress of a private bill, the House should discover that the preamble was reported as having been proved, though without sufficient evidence, the House would not reject it altogether: and secondly, whether, if the House delegated power to a committee to examine as to the fact whether or not the preamble was proved, and the committee reported that it was not, then, he wished to ask if the House ought afterwards to take the matter into its own hands.

The *Speaker* said, the present was the first case since the adoption of the Standing Order, and the question as to the Bill was in little better situation now than before the reference to the Appeal Committee. The case was this: any hon. Member presenting a petition, stating that a bill was reported, of which the preamble was not proved, the question would be whether the bill should be recommitted or rejected; but those Members who were most conversant with private business were aware, that if such a report were made, the House would in general reject the bill. What difference, then, was there in the case now, and before the matter was referred to the Appeal Committee? The House, in appointing the Appeal Committee, devolved on that Committee the business which it would do itself if such committee were not appointed. The House was just in the same situation as if it had a report of a bill before it, of which the preamble was not proved; and in all such cases, as those acquainted with private business knew, the practice was, to reject the bill. If the award of the Appeal Committee were not adopted, and the House was not bound by it, the House would be in the same situation as if no such committee were appointed, and would have to decide whether it would recommit or reject the bill. Perhaps the House would allow him to state, with respect to the suggestion of an hon. Member, for the recommitment of the Bill to a committee different from that which first sat on it, that such a course was without precedent. The House was in the habit of recommitting private bills on the report of the Chairman, but always to the same committee.

Mr. *H. Drummond*, in reply, said, there was nothing inconsistent with the report of the Appeal Committee, to send back the Bill to the former Committee to supply evidence in which the Appeal Committee had declared it deficient.

After a few words the Motion was withdrawn.

LAWS AGAINST PEOPLE OF COLOUR IN GEORGIA.] Mr. *O'Connell* wished to ask the right hon. Secretary of State whether any steps had been taken to protect British Subjects against the effects of the Law passed in Georgia not to allow vessels pratique having on board three people of colour.

Sir *Robert Peel* replied, that the restriction laid by the State of Georgia on vessels having on board three free persons of colour, and the requisition that such vessels should perform a stipulated period of quarantine, was part of one of the most extraordinary enactments by any legislature he had ever seen or heard of. The question for the British Government was, whether other States had a right to remonstrate on the subject, as being included in the restriction, which, it was evident, was intended only as a means of protection, and an arrangement for the internal regulation of that state. It appeared to him (though he allowed the question was still open, and the matter unsettled), that this was an enactment merely of internal regulation passed by that State, which appeared to be very jealous of the coloured population; and that we had no right, as a friendly power, to interfere in the regulation: however, we might be led to hope that it would not be long ere that State would consent to revise this amongst other late regulations, unless it should be shown that great public inconvenience would be felt thereby.

CHANCERY BILL.] Mr. *John Williams* presented the Petition of the Solicitors of London and Westminster, to the number of about seventy, which, he stated, would have been augmented to nearly the whole of the profession, had sufficient time been allowed them, stating their satisfaction with the manner in which the transactions in the Registrar's offices were now conducted by the present Deputy Registrars, and praying that the recommendation of the Commissioners of the Courts of Common Law should be carefully examined ere it was reduced to practice, or before the House sanctioned the Bill now pending, founded on that recommendation.

The *Solicitor General* stated, that no resolution had yet been come to on the subject of this specific recommendation. The Bill would soon be before the House, when, if the hon. and learned Member felt so disposed, he might suggest any amendment that would meet his wishes, or those of the persons on whose behalf he appeared there.

Sir *Charles Wetherell* said, this was only one of a fasciculus of recommendations made by the voluminous reports put forth by these commissioners on the subject of our law. It came accompanied by a recommendation of a fourth Judge in the Equity Courts of this country. The question, it would be found, was whether the business of this office of the Registrar was to be continued in the way in which it had been performed, so much to the general satisfaction of the members of the legal profession, or whether the nomination to these offices should be changed for a selection of A, B, or C, from the Lord Chancellor's list? or, in other words, whether they were once more to sanction a nominal reform for the purpose of increasing the ever-intrusive principle of patronage?

Sir *Robert Peel* hoped, that the hon. and learned Member would see the propriety of waiting to take the discussion on the subject of these Bills when they were regularly brought down to the House by his hon. and learned friend the Solicitor General. The Bills were in their object totally disconnected, and the mode he recommended to the hon. and learned Gentleman would be for many reasons the most convenient. If his hon. and learned friend were to show, perhaps, the reasons why he felt disinclined to the prayer of the petition, it would be necessary to open up the whole question, and he would be obliged to go through the details of the scheme, of which the parts could not be separately understood.

Mr. *M. A. Taylor* considered it was the duty of Parliament before its rising to do something definite, so as to redeem the pledge which it had given indirectly, in the year 1810, relative to the meditated reforms in this Court.

The Petition to be printed.

REGENCY AT TERCEIRA.] Lord *John Russell* was desirous of ascertaining from the right hon. Baronet at the head of the Home Department, whether there had been any notice officially of the appointment of a Regency, to act for or on the part of the Infanta Donna Maria of Portugal, in that part of the dominions of Portugal, called the island of Terceira? and next, whether any communication had been made to this country, through the minister of the court of Brazil here, that a negotiation was pending relative to the cession, or the settlement of the succession to the throne of Portugal.

Sir *Robert Peel* said, in reply, that the existence of a regency for and on behalf of Donna Maria, in the island of Terceira, had been already notified to this Government. Respecting the second part of the inquiry, no notification had been made relative to such a negotiation as that to which the noble Lord had alluded. In the course of last year, or rather in the latter part of it, a representation by this Government had been made to the court of Brazil, as to the state of the kingdom of Portugal, and its probable effects on the existing relations with this country. No answer had as yet been received on that subject, though he thought it not improbable that an answer was on its way, or might very shortly be received.

Lord *John Russell* said, he hoped, as soon as convenient after that answer arrived, that the House would be put in possession of the correspondence on this subject between Lord Aberdeen and the Marquis of Barbacena.

Lord *Palmerston.*—As Donna Maria was now Queen of Portugal, he wished to learn of the right hon. Baronet, whether there had been any relations established between his Majesty's Government and the Regency in question.

Sir *R. Peel* replied in the negative.

GREECE.] Mr. *Huskisson* moved, by Address to his Majesty, for copies of the correspondence between the Reis Effendi and the British Government, relative to the terms on which the British Ambassador had last year resumed his functions at Constantinople. As he understood from his right hon. friend that there existed no objection on the part of Ministers to the production of those papers, he would then avoid discussing the policy involved in them, and confine himself to a statement of the grounds on which he was induced to move for their being produced. He conceived that it was essential to the thorough investigation of the several points of policy embraced by the question of the settlement of Greece, that the House should be in possession of every document illustrative of the part which the British Government had taken in effecting that settlement, however indirect might be the apparent bearing of the document which an hon. Member might feel induced to ask for. The first paper he should move for was a copy of the letter of the Reis Effendi to the British Ambassador, dated the 10th of September, 1829. This was a document of great importance, for it showed, if he mistook not, something like a discrepancy between, in the first place, the conception or view of the terms on which the British Ambassador returned to Constantinople, as entertained by the Effendi and our Ambassador; and in the next place, a difference of opinion between the British and French Ambassadors, as to the footing on which they felt themselves entitled to resume their diplomatic functions in obedience to the overtures of the Ottoman government. The House was aware of the circumstances under which the British and French Ambassadors felt themselves compelled, on the refusal of the Grand Seignor, to accept of their mediation in 1828, to the bringing about a termination of hostilities in Greece, to declare their ambassadorial functions at an end at Constantinople, and withdraw from that city. In consequence, however, of a letter to them from the Reis Effendi, the conferences at Poros, to which much allusion had of late been made, were proceeded with: they returned to Constantinople, and a settlement of Greece had been, as the House was aware, agreed to. But previous to this satisfactory arrangement, a very curious letter was written by the Reis Effendi to the two ambassadors, which gave rise to a correspondence between the British and the French Ambassadors and his Majesty's Government, which, with the original letter, he should also move for, as important to the thorough understanding of the transaction. The letter of the Reis Effendi, which was, as he had stated, dated the 10th of September, was not replied to by either the French or the English Ambassador, they feeling—and the ambassador of Russia concurred with them—that its terms were such as precluded the friendly tone which they wished to preserve towards the Ottoman government. The minister of the Netherlands was the indirect channel through which they communicated their intention of not answering the letter, and not proceeding to Constantinople. The right hon. Gentleman was proceeding to read extracts from the letters to which he alluded, and from that addressed by the Reis Effendi to the Duke of Wellington, and the Duke's answer to it, when—

Sir *R. Peel* rose to deprecate the course in which his right hon. friend was proceeding as superfluous, inasmuch as he had been told that there would be no objection raised by Ministers against the production of the paper moved for by him, and as contrary to what he understood to be the intention of his right hon. friend. The papers asked for by his right hon. friend would, as he had informed him, be granted, so that the discussion he was then entering upon was, to say the least, unnecessary and ill-timed.

Mr. *Huskisson* had no wish to take up the time of the House with a premature discussion of the important topics to which the papers he should move for referred, and only meant to state the parliamentary grounds, for the satisfaction of other hon. Members, on which he felt himself justified to ask for them. These papers referred to very important negotiations, and therefore were indispensable to the discussion of the policy involved in these negotiations. The Reis Effendi had, as he had stated, written one letter which led to the conferences at Poros and their results; another, to which neither the French nor the English Ambassador had sent an answer; and another on the return of those ambassadors to Constantinople, in which he refused to accede to the terms on which it was understood they had consented to resume their diplomatic functions. The correspondence on these matters, he thought, should be laid before Parliament, as also that relating to the conference of the 19th of August, and to the terms on which the Porte at length consented to accede to the Treaty of London. This last was the more necessary, as a difference existed, of no small moment, as to its interpretation, between the English and French Ambassadors and the Reis Effendi. The right hon. Gentleman concluded by saying, that he should on another occasion enter more fully into the subject, by moving for the papers referred to.

Sir *R. Peel* had no hesitation to second his right hon. friend's motion. His object in interrupting his right hon. friend was to prevent him from departing from the usage of that House, which forbad discussion on moving for papers which a Minister had officially announced beforehand would be unresistingly granted. His right hon. friend had in courtesy communicated to him his intention of moving for the papers to which he had just referred, and he had mentioned to his right hon. friend, that Government would not oppose his motion, so that a discussion was inexpedient and irregular. If his right hon. friend thought that the difference of opinion between two of the ambassadors of the three Powers, parties to the Treaty of London, on a point which had arisen in the course of a series of negotiations, justified his entering into a discussion of the circumstances, let him give notice of his intention to bring the subject forward, and he should be prepared to meet him on its merits. But let him not, without notice and contrary to an implied understanding between them, enter thus irregularly upon the investigation of a subject which required the undivided attention of the House. This was the more expedient, as no objection, he repeated once for all, lay with Ministers to produce every document relating to our interference with the settlement of Greece compatible with our own interests, and those of other States. In the course of the negotiations which led to that settlement, hostilities had occurred between Russia, a contracting party to the Treaty of London, and the Porte; those hostilities were now happily terminated, and a friendly feeling between the two belligerents was now growing up, which we were bound to foster. If, therefore, the production of any document relating to these negotiations were at all likely to revive unfriendly feelings, and delay the amicable relations now again forming between Russia and Turkey, his Majesty's Government would feel it to be their duty to withhold it, but on no other ground. Now he conceived the production of the indiscreet strange letter of the Reis Effendi, to which his right hon. friend had alluded, might tend to thus revive angry feelings, while it could not be of any use as illustrative of our policy; therefore he should object to its being granted; he was sure his right hon. friend would admit, that in doing so he was consulting only our own interests, as involved in the amicable relations of two great Powers with whom we were on friendly terms. It was true that extraordinary letter was in this country; but still, as it had not been officially acknowledged either by our minister at Constantinople, or by the Government, and had been virtually retracted, it was better that it should not be produced, and be, as it were, forgotten.

Mr. *Huskisson* wished to see the letter referred to, only that he might be the better enabled to judge of the discrepancy of opinion as to its tendency, which it was understood had existed between two of the ambassadors at Constantinople.

Lord *J. Russell* wished to know from the right hon. Home Secretary, whether there existed any objection to produce the papers illustrative of the negotiations on the 22nd of March and the 3rd of February, respecting the boundary lines of the new Greek State? It was most desirable that the House should be in possession of the fullest information on the subject, particularly so far as the policy of giving up Acarnania to the Turks, and annexing Eubœa to the Greek territory, were concerned.

Sir *R. Peel* could assure the noble Lord, that no indisposition existed on the part of Ministers to produce every document for the withholding of which there existed no reason derived from the consideration of the public interest.

Lord *Palmerston* begged to repeat a question which he had put a few evenings since. He wished to know from his right hon. friend, whether he had any objection to produce copies of the correspondence between our Government with the Porte during the interval which elapsed between the two Russian campaigns? His object was, to ascertain the definite extent and nature of our interference with a view to effect a termination of hostilities with the Turkish Government—a point on which there existed a considerable difference of opinion.

Sir *R. Peel* conceived, that the correspondence between the Reis Effendi and the Duke of Wellington, which had been laid before Parliament, was decisive on the point alluded to by his noble friend. It was clear from that correspondence, that when the Reis Effendi called upon England to interfere and assume a decided tone in favour of the Porte, in its contest with Russia, the Duke of Wellington answered, that England would not take any such step, and would not make itself an offensive party to either of the belligerents. There were circumstances besides which then existed, that gave a colour to our remonstrances and counsels, in order to bring about a termination to the war, which, being of a peculiarly delicate nature, could only be alluded to in the most confidential private correspondence, which precluded their publication at this time, the rather as that publication could not have any other effect than marring the results of our counsels and interference, by reviving angry feelings and unpleasant recollections on the part of the Porte towards its late antagonist, with whom it was now on a friendly footing. It was this unwillingness to open old grievances that induced Ministers to withhold the papers alluded to by his noble friend, and not any disinclination towards having their conduct in the transaction fully investigated.

Lord *Palmerston* might admit the force of his right hon. friend's objection, if Turkey had been the triumphant party in the contest; but as she had not, and was on the contrary humbled, he could not see what delicacy there was in not producing every document relating to our interference to bring that contest to a friendly issue. He should like to know especially whether any and what assurance had been given by the British Government to the Reis Effendi of the part which we might take in the event of Turkey's being unable herself to offer a successful resistance to the Russian arms; whether England would, under such circumstances, at all interfere and act offensively on behalf of the Porte. The Duke of Wellington's letter, to which his right hon. friend had alluded, was not decisive on this point, as it related to another transaction.

Sir *R. Peel* maintained, that though the Duke of Wellington's letter was written with reference to the settlement of Greece, as preliminary to our interference in behalf of Turkey, it was decided against the Porte's expecting any aid from us in the event of her defeat by Russia. His noble friend was aware that at the time in which we were carrying on the negotiation to which he had referred, we had no direct intercourse with Turkey; that which we had having been effected indirectly through the Ambassadors of other powers; so that there could not exist any direct statement of our intentions towards Turkey in the event of her unsuccessful resistance to the Russian arms. But still he could positively assert that all our counsels and declarations were directed as he had previously stated, to warn Turkey not to look to England for aid in her contest with Russia, for that we would not take part with either of the belligerents. The right hon. Baronet repeated, that no objection existed on the part of Ministers to the affording every information relative to the whole of our negotiations with Turkey, so far as our own interests and that of our allies was not likely to be compromised by its publicity, as he thought would be the case if the letter of the Reis Effendi, to which his right hon. friend had alluded, were produced.

Mr. *Huskisson* would not press for the letter, lest its being produced should lead to any of the unpleasant results apprehended by his right hon. friend.

Lord *Sandon* expressed a wish to have additional papers relative to the conferences at Poros produced.

Sir *R. Peel* could not help saying, that if every hon. Member were thus to be asking for some paper relating to this or that point which struck him as requiring elucidation, there would be no end to their production; and they would at length become so voluminous that to all purposes they would be useless, no hon. Member being able to wade through them. There existed ample documents before the House to enable it to discuss the policy of Ministers in the transactions consequent upon the Treaty of London, and no indisposition existed to produce any necessary additional information.

Motion agreed to.

VESTRIES (IRELAND).] Mr. *O'Connell* rose to move for leave to bring in a Bill to repeal so much of the Statutes in force in Ireland, as enabled Parish Vestries to assess rates for the building, rebuilding, and enlarging of churches and chapels, and also for the repairing of the chancel of churches, and also for providing things necessary for the celebration of divine service therein. His Motion was one which, if it succeeded, would be beneficial not merely to the Catholics and Dissenters, but to the members of the Established Church also, for it would in fact be advantageous in its effects to all the people of Ireland. Within one half hour he had presented two petitions, one from the parish of Aglis, and the other from Bandon-bridge, in support of the principle of the bill which he wished to introduce, and both of them signed by many of the members of the Established Church, as well as by Protestant Dissenters. His object was, to restore the common law, and to place the Church in the same state in Ireland as it was in England. In England, where the great mass of the population belonged to the Established Church, the building of churches was not thrown as a burthen upon the people; while in Ireland, where the proportion of members of the Established Church was not one in twenty, compared with the members of other persuasions, the burthen of building churches was thrown upon the people at large. To such an extent was this system carried, that churches were actually building in two parishes, not fifteen miles from Dublin, from which parishes he had presented petitions upon the subject, although there was not above one Protestant in each parish. Nothing could be more monstrous than this abuse! It could not be surpassed by any thing which had taken place even in Ireland, where the most monstrous of all abuses notoriously prevailed.—In the parishes he had alluded to, the Protestants were quite as unwilling to have the churches built as were the Catholics and Dissenters. What reason was there why the Protestant Dissenters and Catholics, and the Protestants who were averse from it, should be rated to build churches for the Protestants in Ireland, which would not also apply to England, and what was there which ought to exempt the people of England which ought not to exempt the people of Ireland? He laid down the proposition that there was nothing—and he had no fear that his proposition would be controverted. In England the parish vestries had no power to rate the inhabitants for the building of churches. In the case of the parish of St. Anne, Westminster, where such a rate was made, the question was brought before the Court of King's Bench, where the rate was declared to be null and void, as churches could be built only by Act of Parliament, or through the medium of commissioners acting under the authority of an Act of Parliament. In order to justify the difference in this respect between the two countries, something must be found peculiarly applicable to Ireland, or there could be no ground for upholding the present oppressive system in that country. With respect to the repair of churches he would proceed to shew what the common law was upon the subject, the principal object of his motion being to restore that common law. The common law of England differed from the canon law. By the canon law, though all the tithes went to the Bishop, yet one-fourth was appropriated for repairing the church, and when the tithes went to the rector or the lay impropriator, the canon law which declared that the clergy should repair the churches out of the tithes, was enforced against them also. The canon law was, however, over-ruled by custom, and the common law placed the repairing of the church upon the parish with the exception of the chancel.—It, in effect, actually repealed the canon law—and the parishes took upon themselves the repairing of the churches, though in a qualified way, for they only undertook to repair the nave, and the repairing of the chancel still continued as a burthen upon the rector or lay impropriator. This was, at present, the state of the law in England, and this was the state of the law which he wanted to restore in Ireland—to have the burthen of repairing the chancel thrown upon the clergy. He was desirous of repealing the provisions of the 7th of George 3rd, which enabled parish vestries to tax their parishes for such things as they might deem necessary, which was a very indefinite power, but he had no intention to interfere with the common law, which allowed rates to be made for things necessary for the celebration of divine service. He had thus stated the purport of his Motion for those few Members who were kind enough to condescend to listen to a subject peculiarly Irish; and as an Irishman, he felt grateful to them for their condescension, and though he regretted the thinness of the House, yet it was attended with one advantage, which was, that he had no fear of being interrupted by the private conversations of those hon. Members who might think the subject unworthy of their attention. He did not wish to complain of the Irish Members; but he would tell them that this was a subject of the greatest importance to their constituents—at least, to those who had any, which was about two-thirds of the whole number—for it was a subject which had engrossed a large share of public attention in Ireland, and before he sat down, he would endeavour to show how just were the complaints upon the subject. The common law of the land, throwing the building of churches on the tithes, he might be asked how the alteration had taken place? and to those who asked the question, he would reply, by asking how they could justify the change—He was, however, able to give an answer which would prove that the change admitted of no justification—of no palliation—that it was, in fact, an act of gross and grievous oppression. At the time of the Reformation Ireland was replenished with churches, there was no country in Europe better off; so that when the Catholic Church was forced to abdicate, the reformed religion found the country full of churches, which, of course, fell into Protestant hands, giving the Protestant clergy the very worst title in the world to call upon the Catholics subsequently, either to repair the old, or build new ones for them.—The common law actually fortified the canon law for preventing dilapidations. By that law, a Bishop was rendered liable to be degraded for suffering dilapidations, and it enabled any person to proceed in the Ecclesiastical Courts to deprive that clergyman of his living, who suffered dilapidations in his church.—Notwithstanding this law the churches did go to ruin, though at that time the Established Church was the richest in the world, for so it was universally admitted to be. The rectors and the other clergy were exonerated from repairing the churches, because it was said, to make them do that, would be to throw a cruel burthen on them, but the very cruelty which the Government would not inflict upon the clergy, it found no difficulty in fixing on the Roman Catholic peasant. Thus he arrived at the principle, that there could be no justification for throwing the building of churches on the people.—The thing, however, came on by degrees—the burthen was gradually thrown upon them by statutes which were not supposed to have any such object. These statutes were, first, the 6th of George the 1st., which directed that a rate might be made for repairing a church, with the consent of the patron and proprietors, and on the petition of the parishioners and the incumbent; but still leaving the chancel to be repaired by the clergy out of the tithes. This Act, therefore, only enabled the Lord-lieutenant and the dignitaries of the church, to allow parishes, if they thought proper, to charge themselves with the building of churches. At that time every one who paid parish cess, whether Catholic or Protestant—for both at that time attended vestries—had a right to vote, and the Act therefore was not unjust, and it created no alarm. This Act passed during the existence of the penal code—but a statute was passed eight years afterwards, which effected a much greater change; for that Statute declared that the consent of the Protestants alone should be sufficient to authorise the building of churches. This was a great step, and yet, two years afterwards, it was said in the preamble of an Act of Parliament, that the Catholics had prevented the building of churches, though they had excluded them from vestries two years before. In the Irish Parliament it was asked, how such a thing could be said in the face of the fact of their exclusion, and it was replied, that it would be too bad to deprive men of their rights and privileges, without assigning some cause for it. By the 11th and 12th of George the 1st, Archbishops and Bishops in Ireland were empowered to direct that churches should be built whenever they thought proper. By the law of England Archbishops and Bishops have no power to tax parishes for the building of churches, nor have the parish vestries this power—but in Ireland they have, and the hardship is the greater, because in England, if the power existed, the tax would fall on Protestants; whereas in Ireland it falls upon Catholics and Protestant Dissenters, who are thereby compelled to build churches for the Protestants.—Thus it stood; to the richest church in the world was given the power to tax the poorest people in the world, to repair churches for the celebration of a service which that people abjured. One would imagine that this was sufficient to gratify the spirit of taxation—but no such thing. It was found that there were some parishes which had no churches, and it was therefore resolved to unite such parishes with those which had churches, in order that the former might be taxed for their support. These episcopal unions were sanctioned by the 3rd of George 2nd, chap. 11, and by one or two other Statutes also—but the Act which gave the greatest facilities for these unions was passed in the present reign. By this Act, a parish in which there was no resident rector, and no church, was made liable to be united to a parish ten miles off, simply for the purpose of taxation. This was the 4th of Geo. 4th, which contained no pretence of being passed for spiritual purposes, but simply for the purposes of taxation.—The Act recited that—"Whereas it is expedient the people should have and enjoy the use of the church."—Mark—the church was ten miles off, and even if it was near them, the persons thus taxed would not go into it; but because they might go, they were to be taxed for the support of the clerk, the sexton, the sextoness, the organ-blower, the pew-opener, the gallery-keeper, the under gallery-keeper, the clock-winder, and others too numerous to mention. This was a monstrous case of oppression, to be charged against those who passed such laws, and those were not free from the charge who now concurred in continuing them. These laws taxed the poor wretch, whose poverty compelled him to leave his wife and family to maintain themselves by begging, while he proceeded to England—to Lancashire, or Lincolnshire—to earn a trifle at the harvest; and who upon his return, found one-third of his earnings taken from him to support a church he never saw, and to maintain ceremonies which he never witnessed. It might be said, that he, a Catholic, was by his Motion of that night assailing the Established Church; but he would reply, that his only object was to put it on the same footing in Ireland as in England. In England the Established Church was sufficiently protected, and all he asked for was, to give to Ireland the English law. Even then the people of Ireland would not get the same value for their money as the people of England—for they did not profess the religion they were supporting—but no matter—he only asked that they should not be subjected to such oppression as he had described. Such was the state of the law, but he was aware that it might be said, it is true, the law does bear rather heavily, but then its administration is very light—the hardships of it are not enforced. Human nanature told them that where an oppressive power existed, its administration could not be light, and the Returns on the Table of the House told them that it was not so. When the right hon. member for Waterford made his statements upon this subject on a former occasion they were denied, but when the Returns were produced, they clearly showed that the most corrupt and profligate abuses had taken place, and the hon. Baronet then called upon the House to alter the system. He showed that parishes had been rated to furnish the cabinet of a Bishop with basins, perfumery, and curiosities. What! were the members of the Established Church—were its dignitaries—so poor as to go begging for their perfumery?—This was not surmise. He appealed to the Returns on the Table for the truth of it. If he was desirous of exciting feelings of another and of a higher nature, he had only to refer to the Returns from Ardee, where two dozen of wine for the clergyman was charged at the enormous sum of 5*l.* 18*s.*, but that not being deemed sufficiently exquisite in its flavour, the wine on the following year was charged 7*l.* 3*s.* for two dozen. Now any one who knew anything of Ireland must know, that at the rate of wine in that country, 4*l.* would be a most ample price for the best wine they could procure. In Wexford the salary of the bell-ringer had been increased—and upon what ground? Because the bell was broken, and could be no longer rung. For this reason they raised his salary; thus shewing that utter contempt of common sense which people will shew when they are invested with unjust power. They also, in the same parish, built at an expense of 429*l.* a house for the clerk and sexton;—but he would not disgust the House by going through all the Returns on the Table, for he only referred to them to shew that where power was given to people to search the pockets of their neighbours, they must be a most extraordinary race indeed, who could refrain from taking every thing they found. On the occasion to which he alluded, the hon. member for Waterford shewed that in England vestries could not rate parishes for the building or repairing of churches, while in Ireland they could be taxed for the repair of a church ten miles off. He shewed the abuses which existed in the latter country, and he called upon the House to remedy the evil. The right hon. Gentleman opposite, (the Chancellor of the Exchequer,) when he was Secretary for Ireland, took upon himself to amend the law, and the right hon. member for Waterford, of course, left it in his hands. He did bring in a bill in consequence, and it was a fact, that there was not an evil previously in existence which that bill did not aggravate and legalize. Formerly the parishioners had one great protection. If in any rate whatever, an illegal item was introduced, the assessment was void in toto. This was a very efficient and salutary protection, for it made parties cautious of introducing illegal items, but the bill of the right hon. Gentleman took it away. It was rather a curious fact too, that those who jobbed in this way, in vestries, though Protestants in name, were Catholics in reality, and generally reverted to their original faith, which gave occasion to the saying of a reverend prelate, that when the Pope was weeding his garden, he threw the nettles into the Protestant Church. The right hon. Gentleman, by his bill, gave facilities to the rich, but no remedy whatever to the poor. He had, it was true, granted them a useless appeal, but surrounded by forms, such, he would venture to assert, as were never known before. He arraigned the statute of the right hon. Gentleman, because it was, contrary to the common law of the land—he arraigned it because it rather increased the evil it professed to remedy —and he arraigned it as a mockery of relief, which instead of abating evils, tended entirely to perpetuate them. No lawyer could conduct an appeal under the Act with success. He would prove this out of the Act itself. The consequence was, that a series of abuses had grown up. Parish-clerks, pew-openers, bell-ringers, sextons, sextonesses, organ-blower, gallery-keeper, deputy gallery-keeper, and a new officer, that of care-taker, had all been appointed, and parishes were rated to pay the salaries of all those persons, and not only those, but a salary was appointed for a person to wind the church clock, and another salary for a person to wind the vestry-room clock. It was suggested to him that it might be difficult in many cases, to find this latter clock, but he would admit it to be there, and he would then ask if such charges were not calculated to excite the indignation of the Catholic who had to pay them. In one parish in Dublin there was collected for vestry taxes the sum of 1,710*l.* There were three organists, with salaries amounting to 135*l.* There was a charge for tuning of 13*l.* 2*s.*; for bellows-blower of 19*l.* 2*s.*; for vestry clerk 80*l.*; for collectors at ten per cent, 170*l.*; for sexton and sextoness, &c. 165*l.*; for three clerks, 65*l.*, besides other equally objectionable charges. When the motion of the hon. Baronet (Sir J. Newport) was before the House, relative to the Board of First Fruits, he was not in the House, but if he had been, he confessed he should have been inclined to vote with the Government, for he was aware that the effect of giving a sum of ready money for the purpose of repairing or enlarging churches, would but lead at once to fresh impositions upon the people. The Rector of the parish he referred to in Dublin had an income, as Rector, of 3,000*l.* a-year, as nearly as he could judge, but at all events, he had more than 2,000*l.* a-year, and surely he might appropriate some portion of this towards the maintenance of these officers, without throwing the whole of the burthen on the inhabitants, and putting all the income destined to support public worship into his pocket. He would proceed to shew that peculation existed to a great extent under the Act of the right hon. Gentleman. In Naas, claret brought from the Vicar's own cellar was charged to the parish at 5*l.* per dozen. A school house had been built, for which the parish was rated, and mounted coffins were charged for, though the parish Catholic poor were buried in the plainest manner. The sum of 15*l.* was charged for a vestry clerk who had only two days duty to perform in the year; and the clergy actually proceeded to excommunicate a man for calling on a person to account for some unfair charges to which he was a party. By the Act of the right hon. Gentleman, the pre-existing evils were established, its principle effect being that of increasing the inflictions on the Catholics, by confirming their exclusion from the vestries, and thus preventing them from taking care of their own properties. It might be said that the bill was not drawn up by the right hon. Gentleman, and he was aware that it was not; but that was no excuse to the people who suffered from it. The bill was drawn up by an eminent and skilful individual, whom he regretted to see now thrown into the corner of an Irish Court; but at the period when it was first announced, he (Mr. O'Connell), gave his opinion upon it, and he published that opinion, which the result had since proved to be correct. It inflicted an additional cruelty upon the Catholics, who were previously turned out of the vestry, for it required their dismissal on nearly all occasions, except in voting for coffins, for the law prevented their attendance when the following subjects were under discussion:—"The building, or enlarging, or rebuilding of churches; the providing things necessary for the communion service, according to the English rubrics; and the salaries of officers." This was the most unlimited power that could be given, for by this the parish might be rated for anything contained in any English rubric, though such thing might not be in the rubrics of Ireland, and the rate was to be decided upon by Protestants exclusively, though Roman Catholics as well as Protestant Dissenters were called upon to pay the rate. It was the practice to hold two half-yearly synods, at which the dignitaries of the Church went through the canons and the rubrics, and anything ordained in any of these rubrics the parishes might be rated for under this Act. He arraigned the Act upon two grounds. In the first place, it took the property of the Catholic away from him, without consulting him; a thing which was wholly contrary to the spirit of the Constitution. No person could be found in this country to maintain that such a principle was correct or proper, for it was unconstitutional in its very nature. If power be given to one man to tax another, the act which gives the power ought also to specify what it is, for which he is to be taxed. Even where a tax is levied by a corrupt majority, it is considered as a cruel infliction by the minority; and how much more cruel must it be for a minority of twelve Protestants to tax 2,000 Catholics. Yet such was the case in a parish from which he had presented a petition, where twelve Protestants elected themselves or each other into fifteen offices, fixed their salaries, and rated the Catholic inhabitants to pay them. Appeal was useless, for the Act did not limit the power which it conferred. In what country was it that this was done? Was it in England, or in the territories of the Reis Effendi, of whom they had heard so much that evening? It was not in Turkey, for the Turks never were so cruel as to tax the Greeks in order to build their mosques. He might be told there was an appeal. He admitted it;—there was, but it was so clogged with forms that it was useless. In the first place, notice of appeal must be given within fourteen days, and in that notice all the causes of that appeal must be specified. Now, in many cases it would take more time technically to set forth all the causes of appeal. In the next place, the name of every man appealing was to be affixed, in his own handwriting, to the appeal. That at once took away the right of appeal from all those who could not write; and yet this protection, as it was called, was given as a substitute for that which was really a very efficient protection. Persons, by this appeal, might protect themselves, but if they were unable to avail themselves of the appeal, the rate then stood for ever. Then again the notices must be given all on one day, so that if the magistrate before whom they were to be signed was ill or absent, the appeal was gone. Then again the party appealing was to give security for costs to the amount of 100*l*. He might be told that the magistrate had the power of dispensing with the security, and it was true that he had a discretionary power of doing so when he knew the party appealing was solvent; but what relief did that give to the poor? Another objection was this: where the appeal came on for trial before the assistant barrister, he must first try whether all these forms had been complied with before he was empowered to hear the appeal. Thus, however disposed he might be to try the merits he could not do so, for the forms of the bill tied him down to the very letter of it, and he must first determine the forms before he could go into the merits. And this was the protection which was given in lieu of one that really was effectual. In many parishes the Protestant inhabitants felt these rates to be so unjust upon the Catholics, that they took the payment of them on themselves, under the impression that they had the power of refusing to let the Catholics be taxed: but then even this was not allowed; for the Bishop, by his monition, could make the whole of the parish pay for what was necessary for the celebration of divine service. A Protestant clergyman had thus full control over Catholic property, and the Bishops had control over the property of the Protestants, a power which the people of England would never consent to have vested in their Bishops. Formerly the taxes were only levied in the Easter week; but now they were levied whenever the monition came down. Another grievance was, that if the churchwardens became trespassers, they were not, under this Act, liable to any punishment—they might violate both forms and law with perfect impunity, for in the event of a verdict against them, the parish was to be rated to pay the damages and costs, so that the party bringing the action for a wrong inflicted upon himself, had to pay a portion of those very damages which he had recovered against the trespassers. Thus the churchwarden was liable if wrong, but when liable he comes on the parish to hold him harmless. This was the most perfect impunity to the offender, while, if the party appealing failed to succeed, he was visited with treble costs. He would venture to say, that no Act had been ever introduced into that House so utterly unworthy as this of the Chancellor of the Exchequer, and he hoped that right hon. Gentleman would take the subject into his consideration in order that it might be amended, or at least that the power of taxation which it gave might be limited. An attempt had been made by the right hon. Gentleman, when in Ireland, to limit it, and he held in his hand the letter which he wrote for that purpose, in which he specified certain things—such as white bread and wine for communion, the windows repaired, a chest for alms, a decent surplice, &c.; but in that letter the right hon. Gentleman had not attempted to say that these were the only things to be provided. The consequence was, that the letter was treated with contempt, and the vestry clerks treated it with scorn. He did not accuse the right hon. Gentleman of being the author either of the Act or of the system. He knew that the former was prepared in the law-stalls of the Irish government, and that the right hon. Gentleman was only its sponsor in that House; but still he was responsible. His argument resolved itself into this. In England, the Protestants are not bound to build their own churches; in Ireland, the Catholics are compelled to build them for the Protestants. In England, all classes vote for the parish assessments. In Ireland they do not. With respect to the repair of churches, a similar difference exists between the laws of the two countries. He had formerly applied to the House to enable Catholics to vote at parish vestries. He now applied to relieve the Protestants from being rated to build churches by vestry. It was true that his application went to relieve the Catholics also, for its object was to restore the common law, which would remedy all the evils complained of, leaving all those rates in force which ought to subsist, and taking away all those which ought never to have existed. Were the clergy of Ireland so over-worked and under-paid, that they should object to what was agreed to by the clergy of England? Had they too much work and no pay? No one could answer in the affirmative; and he, for all these reasons, trusted that these monstrous oppressions would be done away with, and the law of Ireland placed, in these matters, on the same footing as the law of England. The hon. and learned Gentleman concluded by moving for leave to bring in the Bill.

The *Chancellor of the Exchequer* said, he was quite unprepared to enter into a full discussion of the subject, as he had expected the discussion on the Chancery bill was to be the only business of the evening. He would not attempt to follow the hon. Member through all the points which he had touched on, but confine himself chiefly to that point which gave vestries the power of assessing rates for the celebration of divine worship. And here he would repeat what he had said all along, that it was necessary to make an alteration on that head. The hon. Member had made an allusion to a letter which he (the Chancellor of the Exchequer) had addressed to certain authorities; and he must say, that the allusion had not been made quite fairly; because, in that letter, it was distinctly stated that the subject occupied the attention of Government, and that it was anxious to make some alteration. The hon. Member complained that the law was different in England and Ireland. He readily admitted the fact, but he would not recur to the cause, because he thought it would be a wiser course now to forbear from alluding to distinctions, which he wished to see at an end. He would, therefore, give the hon. Gentleman all the advantage of silence—if advantage it could be called—rather than enter into details which might remove the veil from these causes of difference. The hon. Gentleman complained of the power of the Bishop, and seemed anxious to have the law assimilated in both countries; but he could tell the hon. Gentleman that the same right was vested in an ecclesiastical tribunal in England; and, had the law of the two countries been assimilated, the hon. Member, most probably, would have been the first to complain of it: but, whatever might be said by the hon. Member, he had no hesitation in asserting that the Act he had mentioned was a great amendment of the former law, and that all the grievances pointed out by the honourable Gentleman existed before the introduction of the law of which he so much complained. Respecting the Vestry Act, he would only say, that he intended to introduce a bill to remedy some of its inconveniences. The hon. Member said it would be better to let the churches go to ruin than have recourse to such offensive measures. He could tell the hon. Member, if his object was to let the churches go to ruin, he could not take a more effectual method than by taking away the power of appeal to the Quarter Sessions. He must add, that the hon. Gentleman himself was the sole cause of the introduction of that clause into the bill, which gave to assistant barristers the power they at present possess; and he had no doubt, that on reflection he would admit the fact. Respecting the mode of appeal which the honorable Member had complained of, he would only ask whether any person should be allowed to appeal without assigning the causes of appeal, and whether there was any ground of complaint against the clause which required the appellant to sign his name, even though he could not write? It was well known that a cross affixed to the name, written by another person, was equivalent. The securities, he was sure every impartial person would admit, were necessary, in order to prevent vexatious and frivolous opposition. He recollected well the method which the hon. Member himself proposed for the purpose of avoiding payment—it was to refuse to pay, when the churchwardens would not go to the expense of enforcing payment; and, in order to avoid such a practice, the clause had been introduced. Before, therefore, he could consent to the Motion he must see some more solid arguments advanced in favour of it; at all events he should resist it at present, in order to see the effects of the bill on the subject which his noble friend had under consideration. For this reason he opposed the Motion.

Mr. *Spring Rice* concurred in several of the observations made by the right hon. the Chancellor of the Exchequer, and, consequently differed from the hon. member for Clare in some of the points which he had laid down. It was necessary, therefore, that he should state briefly in what he differed. If the cases of abuse alluded to by the hon. Gentleman existed previously to the Act, it certainly was unfair to impute these abuses to it; because, as they existed before the Act, there was no ground for saying that they were occasioned by it. Notwithstanding the Act, however, it was quite clear, from documents which he had moved for, that great abuses still existed. On speaking of the subject of reform in these matters on a former occasion, he had said that it was better that the subject should be brought forward by a member of the Established Church than by a Roman Catholic, and better that the subject should be taken up by Government, than left to any individual Member; but at the same time, he had stated that, if any hon. Member—the member for Waterford for instance—should bring forward a motion, he would vote with him. The Government then, as now, did nothing but make promises. From these refusals and delays resulted the present Motion. The consequence was, that petition after petition had been transmitted to the Irish Members—asperity had been excited in every parish in Ireland; and the only consolation they could now give their constituents was, that Government said it had the subject under consideration. He admitted that Government had a wish to correct abuses; but at the same time, when he recollected that since 1826 or 1827, when the letter referred to was written, nothing had been done. He could only say, that he and other Members from Ireland would not discharge their duty to their constituents if they did not take every opportunity of enforcing on Government the necessity of commencing without delay a system of reform. The hon. member for Clare thought that Catholics and Protestants should have the same power of voting at vestries. He had all along objected to this, and objected to it still, because, though there might be no danger in time to come, it was not advisable or proper to make such a change at present. With regard to the power of appeal, he would only say that he did not see what advantage would accrue from abolishing it, and he would never give his consent to an appeal without requiring security for the payment of the expenses, because it would only open a door for abuses and unnecessary delay. While he stated this, he at the same time admitted that nothing could be so absurd as a power of appeal which was so restricted, and so bound by difficulties, as to be of no use. The appeal which he wanted was one which would afford a fair chance of correcting the evils complained of. No more, it seemed, was now to be given than was given in 1827 by the right hon. Gentleman's own letter. However he might be exposed to imputation and attack in Ireland—and no one was, unfortunately, more exposed to imputation than Irish Members who honestly did their duty, and did so for its own sake—he would move an Amendment on the Motion of the hon. and learned member for Clare. He would therefore move for "leave to bring in a Bill to amend the Act 7 Geo. 4th, c. 72, for regulating Vestries," and, with respect even to that amendment, he should be ready to abandon it in favour of the Noble Lord opposite (Lord Gower), if he would undertake to bring forward a measure for the purpose.

Sir *R. Inglis* was of opinion, that the right hon. the Chancellor of the Exchequer had given a satisfactory answer to the statements of the hon. member for Clare. The hon. Gentleman had compared the Church-rates to a poll-tax, and he complained that people belonging to one religion were called upon to pay for the support of another. He (Sir R. Inglis) would contend that these rates formed a tax upon land, which every man paid according to his ability, and which fell equally upon all classes. The hon. and learned Gentleman had said elsewhere, upon a former occasion, that the church rates constituted an evil in Ireland which were equalled in magnitude by no other evil in that country. He (Sir R. Inglis), in returning to that statement, in a discussion on this subject last Session, had remarked that the evils of Ireland could not, in that case, be by any means overwhelming, and he brought forward a variety of returns to shew that the burthen of church-rates was extremely light in Ireland. To some of those returns he was able at the present moment to refer the House. The hon. Baronet here read returns from four parishes in the diocese of Armagh, by which it appeared, that in one parish, 3*d.* an acre constituted the lowest, and 6*d.* the highest amount of church-rate; in a second, that 3*d.* was the lowest, and 5*d.* the highest; and that in an union consisting of 6,292 acres, the total amount of church-rates, upon an average of twelve years, did not exceed 9*d.* per acre. He referred also to parishes in the diocese of Clogher, where the highest rate was 3*d.*, and the lowest ¾*d.* per acre. He could not therefore consider church-rates in Ireland to be so great an evil as they were described to be by the hon. and learned member for Clare. He argued that the church-rates in Ireland did not fall upon the Catholics, the Dissenters, or the Protestants, as such specifically, but that they fell upon them in their character of tenants. He was opposed to the principle of committing the administration of money which was intended for ecclesiastical purposes to laymen; but though he was opposed to that principle, he was not for disturbing the present law, and he should therefore give his vote against the motion of the hon. member for Clare.

Lord *F. L. Gower* did not think that there was any weight in the objections which the hon. and learned member for Clare had urged against the principle or practice of the existing law. Allusion had been made to the difference which prevailed as to the building of churches in England and Ireland, and he (Lord Gower) must say, that, in that respect the Church of Ireland was placed in an unfair position. There was a constant cry raised in that country against the improper consolidation of parishes, and for the dissolution of unions, and where those suggestions were complied with, it was necessary for the Church to provide places in those newly-erected parishes for the public worship. The hon. and learned Member had referred to former periods of Irish history; but he (Lord Gower) should, following the example of his right hon. friend beside him, abstain from entering upon such topics, and he trusted that the time was not distant when such topics would be excluded from discussions in that House. He was not able to understand the necessity of that portion of the Motion of the hon. Member which regarded the repairs of the chancel of the church. He did not think that the operation of the 14th George 1st, c. 14, which only confirmed the common law on that subject, had been disturbed by any of the subsequent Acts which had been passed. He had no hesitation in assuring the hon. Gentlemen who took a great interest in this subject, that the objections which present themselves to the provisions of this law had not been forgotten, but were under the consideration of the Government, to the end that a measure for their amendment might be, he would not say carried next Session, but at all events, in such a state as to be submitted for the opinion of the House. He concurred with the hon. and learned member for Clare in thinking that all ambiguity should be removed respecting the articles to be supplied for the performance of divine worship, and he was also of opinion that an amendment might be introduced to facilitate the process of appeal under the Act. He spoke merely his individual opinion when he said that the power of appeal was too much impeded, and that a more satisfactory mode might be adopted, and one which would, at the same time, combine equal security. Further satisfaction than this he did not feel himself bound to give at present, either to the hon. and learned member for Clare, or the hon. member for Limerick.

Mr. *Hume* called the attention of the

country to this fact, that Ministers were obliged to admit that there were various clauses in the existing law which produced irritation in Ireland. They had declared, both in the last and in the present Session, that they were most anxious to remove from the people of Ireland every source of irritation. Instead, therefore, of opposing the present Motion, they ought to be glad to seize it as an opportunity of conciliating any irritation which the present Vestry Acts might excite, and of removing any hostile feelings which might exist in the breasts of the Roman Catholic inhabitants of that country, against the Established Church. He defended the Motion, and expressed a hope that if Ministers would not accede to that Motion, they would themselves originate some measure which would give satisfaction at once to the House and to the country.

Sir *Robert Peel* was afraid, that he should never be able to bring in a bill upon this subject, so framed as to give satisfaction to the hon. member for Aberdeen. He thought that the whole question now under discussion resolved itself simply into this—is it right that provision should be made for the due performance of divine worship in every parish in Ireland? If it were, how ought that provision to be made? He contended that it should be by parochial assessment. The hon. Member would have it otherwise. Was the hon. Member then prepared to provide for the proper payment of the Church of Ireland out of his own funds, as well as for the proper payment of the Church to which he now contributed?

Mr. *Hume* said, that he was not. He wished the parishioners to be allowed to tax themselves.

Sir *Robert Peel* said, that the answer of the hon. member for Aberdeen was just the answer which he had expected to receive from him. The hon. Member was therefore an advocate of parochial assessments, but of parochial assessments formed upon such a system as must be destructive to the Established Church of Ireland. To admit 1,000 Catholics to be on a level with twelve Protestants in parishes where the population was so unequally divided between the two religions, would be to make the Church establishment of Ireland a mere mockery. He thought that there ought to be a specification by law of the matters deemed essential to the maintenance of divine service, and that the vestry should not be empowered to disburse the funds of the parish on any but such matters; but he was not prepared to introduce a bill with such specification during the present Session. The hon. Member asked, why not? He would ask in return, whether Ministers were now able to get a fair hearing for the business which was already before the House, and which was absolutely necessary for the public service? He admitted that it was the right of that and every other hon. Member to speak upon and discuss every subject that came before the House. The right he would not dispute; but when the hon. Member and others thought fit to exercise that right as they did, how was public business to go on? The hon. Gentleman might, no doubt, say he was a Member of the Legislature, and had a right to do so; but if there were twenty other Members who would exercise their right to the same extent, so far from being enabled to pass any bill, the House could never get one to a first reading. He, therefore, without contesting the hon. member for Aberdeen's right, or presuming to say that the hon. Gentleman ever made use of any unnecessary argumentation in his reasoning, still felt that while such course was pursued, they could never get to the end of their business. When the hon. Member occupied the time of the House on an average for four or five hours every night, it was rather hard that he should be the person to turn round and become the accuser of the Government for delay. He was not willing to add to the business of the present Session, for he was sorry to find that there was not now sufficient time to despatch what was already before the House. For his own part he was often employed seventeen or eighteen hours a day. In that House he often spent ten hours, in addition to seven or eight spent in the discharge of his official duties, and he fairly owned, that he was thus left with too little time for the proper consideration of public business. Under these circumstances it would not be right to press such a bill as that on the consideration of the House. The right hon. Gentleman concluded by expressing his opposition to the Motion.

Mr. *Protheroe* could not concur with the right hon. Baronet in his attack upon the hon. member for Aberdeen. For himself, since he had had a seat in that House, he had day by day been more convinced of the high merits of that hon. Member, who, in Houses with a full attendance, and in Houses with a thin attendance, alike persevered in the object he had in view, and had done so much toward procuring some diminution of the burthens of the people, and towards obtaining that which was absolutely necessary for the purposes of economy and reform—namely, a more correct mode of stating the Estimates. With regard to the Question itself, he should vote for the measure proposed by Mr. O'Connell. He must say, that he viewed with disgust the system, by which people who differed from them in religion were obliged to provide the sacred elements for the performance of worship not their own.

Sir *Robert Peel* had not intended to make any attack on the hon. member for Aberdeen, but referred to the hon. Member's practice with a view of showing, that if others followed the same course, there would be no opportunity to get through business.

Mr. *O'Connell* replied: with respect to the hon. member for Limerick, he observed, that although that hon. Gentleman was satisfied with the Vestry Act, and the number of officers legalised under it, he could not agree in such views. His wish was, that the Churches in England and Ireland should be put on the same footing; and, if the Roman Catholics in England, who bore about the same proportion to the rest of the population, that the Protestants in Ireland did to the Roman Catholics and Dissenters, had the same power here, as the Protestants had in Ireland, he should despise the English Protestant who did not feel that the exercise of such a power was a gross and palpable injustice. He would persevere in his Motion, and he was sorry that the hon. member for Limerick, whose Amendment he altogether disclaimed, did not agree with him; but, as principle and reason were with him, he would take the sense of the House on his Motion.

Mr. *Rice* rose as to the explanation of a fact. The hon. member for Clare had stated that he (Mr. Rice) was perfectly satisfied with the Vestry Act, and that would go forth upon the hon Member's authority. But when he had proposed an amendment for the purpose of showing his dissatisfaction with this Act, it was too bad that such an assertion as that made by the hon. and learned Gentleman should be sent forth. The hon. Gentleman further said, that he was satisfied that the tax should fall on the many, while the wish he felt and had given utterance to was, that it should fall on the landlords, who were in Ireland generally Protestants, and to whom he therefore wished to give the power of taxing and assessing themselves.

Mr. *O'Connell* had never said the hon. member for Limerick was satisfied; and he could not say so, because the hon. Gentleman had proposed an amendment; but he thought that he appeared satisfied to leave the law to be amended by the Government, and that idea he would not retract.

Lord *Killeen* said, that the right hon. Secretary had observed there was some difficulty in knowing how to vote on this occasion. He felt that difficulty, and he thought that the plan of his hon. friend, the member for Limerick, would be the best to follow; but he could also vote for that of the hon. and learned member for Clare. He should have been very glad if the right hon. Gentleman had held out any hope that during the present Session some measure of an amendment would be introduced, for if that were the case, he would not vote at all. But as the right hon. Gentleman had not done so, he was ready to vote for either, or for both of the motions before the House.

The House rejected the Amendment, and divided on Mr. O'Connell's Motion, Ayes 17; Noes 141—Majority 124.

List of the Minority.

Benett, J.
Buller, —
Cave, O.
Dawson, A.
French, A.
Hobhouse, J. C.
Jephson, C. D. O.
Killeen, Lord
Monck, J. B.
Martin, J.
Protheroe, E.
Sykes, D.
Talbot, R. W.
Warburton, H.
Wood, M.
Wood, J.
Western, C. C.

TELLERS.

O'Connell, D.
Hume, J.

SUITS IN EQUITY BILL—COURTS OF CHANCERY.] Sir *C. Wetherell* commenced by regretting that so much time having been employed in discussing the Irish Vestries' bill, he was compelled to bring forward his Motion at such a late period of the evening. The Bill to which he objected, proposed the appointment of a fourth Judge in the Courts of Chancery. He complained that it had been introduced after Parliament had been sitting for four months; but he knew that in fact this measure, combined with the bills for altering the Welsh Judicature, formed so crude a mass, that it was not fit for the attention of the House at an earlier period. Indeed, for himself, he thought it was a half-built ship, which ought not to have been launched at all in the present Session. Down, however, had come Lord Lyndhurst's Bill from the House of Lords, and up started at once two other bills to amend it. He was most decidedly opposed to his Lordship's project, and being so he preserved his consistency; for what he now said there, he had often said in Westminster-hall. He believed that a fourth Judge was not necessary, and he considered that the measure which proposed his appointment was one of the most noxious, pestilent, and mischievous, that had ever been introduced into Parliament. He objected to this Bill, because it was intended simply for the personal convenience of the Lord Chancellor. It was not a measure of permanent operation; for it was not imperative on the Crown to reappoint this Judge. It was therefore a sort of job; it was destined only for the convenience of an individual, and could not be justified by causes of a solid and enduring nature. He asserted it was a shifting thing; and when the Lord Chancellor called for it, he begged to ask him whether it was because he would not do his duty, or because he could not do his duty? He pressed for an answer to this question, and an answer must be given before they could, with any regard to character or consistency, attempt to proceed. The proposition, accordingly, which he had that night to submit, was in the shape of a Resolution:—

"That it is the duty of this House, before it gives its sanction to the appointment of a further Judge in the Court of Chancery, to ascertain, by the examination of witnesses, and other inquiries, whether a case of necessity exists for such appointment."

Thus he pressed it upon the House, that this fourth Judge should not be appointed until they were satisfied, by evidence at the bar, that this new office of jurisdiction was necessary. And how was it the case actually stood? In 1813, the Vice-chancellor's bill was passed. Till then, there were only two Judges in the Court of Chancery;—a third being so added, they went on till 1830. It was to be remarked too, that the Lord Chancellor had also the assistance of a Deputy-speaker in the House of Lords. But now, in 1830, a certain class of projectors said, this was not enough—they should have a fourth court. He, however, asserted that a fourth court was not necessary, and in this assertion he was supported by the authority of the Master of the Rolls, who, not once, but repeatedly, had expressed his opinion, and endeavoured to make the projectors give up that bill. The Vice-chancellor had done the same thing. [*hear.*] If the Solicitor-general, by crying hear! hear! meant to say it was not so, he begged, in reply, to state it was. He knew it might be urged, that because, in his examination before the Chancery Commission, Vice-chancellor Shadwell had observed, three angels could not do the duty of the Court of Chancery, it was quite impossible that he could express a contrary opinion at that moment. But it should be remembered that the Vice-chancellor's metaphor applied to a particular period, when there was a great arrear—one which it was doubted could ever be got over. But now it was different; Vice-chancellor Shadwell was a gentleman in whom there was no backsliding or tergiversation—a quality not belonging to all men. He trusted, therefore, that he should have no *nisi prius* allusions to the metaphor. Two out of three of the Judges of the Court of Chancery were then opposed to this appointment; two of three to whom there could be no injustice in applying the doctrines of liberty and equality, for certainly Lord Lyndhurst could not claim a higher scale for adhering to his opinions, or for his veracity or pretensions, than could Sir Lancelot Shadwell or Sir John Leach. His Lordship might be equal to them, but he was not more than equal; his solitary opinion, therefore, could not overbalance those of the other two. All men must believe those Judges perfectly equal; all men under the canopy of the British Constitution would give them equal and co-ordinate credit. He thought the House would not pay such attention to any individual authority. He thought the House would not so legislate, and therefore it would not assent to Lord Lyndhurst's project. He had also, in addition to the Vice-chancellor and the Master of the Rolls, another witness to call—the right hon. Gentleman opposite. He would abstract the hon. member for Weymouth of 1828 from the Solicitor General of 1830. In 1828, the hon.

member for Weymouth declared that, "the plan proposed by the hon. member for Durham, for amending the practice of the Court of Chancery, would cut up our solid foundations and revolutionize the Court of Chancery." He took this from the document they usually consulted—"*Hansard's Parliamentary Debates.*"—Now his moderate language was, that the change was most necessary. He had taken the sting out of the metaphorical accusation of the Solicitor General. In the speech which he was quoting, the right hon. Gentleman went on to say that 1022 causes had been disposed of in the Court of Chancery during the year 1827, and he stated, that the reason why there was not more was, that there were two new Vice-chancellors in that year, and that this circumstance occasioned delay, since it required some time to make them masters of their business. In this same 1828, too, he remarked that the Master of the Rolls had disposed of 540 cases. The Solicitor General was therefore his third witness. The hon. and learned Gentleman opposed the hon. member for Durham's motion, because no case of necessity could be made out, and because the Vice-chancellor had not, in consequence of his recent appointment, acquired a sufficient facility of decision. He had also another witness, known to many hon. Members of that House—Mr. Bell. This gentleman was entirely opposed to the change, and desired him to state that opinion. And further, he believed there was not at the Bar one individual who, if the question were put to him in an abstract shape, would not say that a fourth Judge was unnecessary, if the Lord Chancellor would or could perform his duty. Another witness on his side was the hon. member for Wootten Bassett, who made a very able speech, for which he received Lord Lyndhurst's thanks. The hon. Member shook his head; not, of course, because he had received, but because he had not received the Lord Chancellor's thanks. He hoped then that he should have that hon. Member's able assistance to prevent the Lord Chancellor from being thrown into the predicament of doing nothing himself, and having a journeyman to assist him. The right hon. Baronet, too, had declared that the multiplication of Judges was an evil. This was in 1828, and then the right hon. Secretary argued the change could not be supported by the plea of necessity, on which ground it should alone take place. The right hon. Gentleman said, he had not then the papers before him, to show that the necessity existed in 1828. He asked what new light had broken in on him. He called on the hon. member for Wootten Bassett to support him. His thanks, it was true, unlike those of the Lord Chancellor, were fraught with no patronage—they came altogether unfruitful; but if he would afford him his able assistance, he should have his thanks and praise for his consistency, and that was no mean compliment for any man to receive. He called on the hon. Member and the right hon. Baronet, either to support him, or to show the *data* which they had procured to prove the measure should be now adopted which they had repudiated in 1828. There were 300 Bankrupt Petitions in arrear in 1828. It would be perfectly natural to inquire what was the present arrear of bankrupt petitions—there was not one in the Vice-chancellor's paper. In the Lord Chancellor's paper there was an arrear of twenty-nine; he did not complain of that number; there might exist abundant reasons for there being an arrear of twenty-nine petitions, but there was no arrear in the Vice-chancellor's Court. On the 19th of February, he moved for a return of the arrears of bankrupt petitions, and the answer to that motion was, that there was, at the time of making the return, no arrear. The Vice-chancellor, with great credit to himself, and extraordinary advantage to the parties interested, disposed of the whole of them. He did not like arithmetical logicians—bad cases were generally cloaked in arithmetical calculations, but he would just state a plain case in a plain manner. In Hilary Term, 1830, the various matters, causes, petitions, exceptions, further directions, &c. &c. set down for hearing or to be spoken to, in the whole amounted to 1,061. Now, was the arrear in the Court of Chancery swelling or contracting? From Hilary Term, 1830, to Easter Term, there was a decrease of 348 of the total matters pending—leaving at that time the amount of arrear 713: 348 had been wiped off by decisions; and not only that, but the Bankrupt List so diminished, that the Lord Chancellor had only twenty-nine remaining, and the Vice-chancellor none at all; and the time of that Judge was occupied constantly in hearing and adjudicating, so that the business of the Court had been freed from any thing bearing even the appearance of arrear. The Solicitor General stated in 1828, that 1,000 causes had been disposed of: the same might be expected to be done in the present year, the more especially as the bankruptcy was gone, and therefore the entire attention of the Judges could be given to the existing arrear of 713 causes; and he did not hesitate to affirm, that if the three Judges did not get through the arrear within that time, or if every one of them did not perform his aliquot part of the duty, then he would say that that individual would not, or could not, perform his duty. He made this broad statement of the condition of the Court, without troubling the House too much with figures; but he believed and knew he was right. He thought then that he stated enough to maintain his Resolution—to maintain the broad principle for which he contended. He had no special predilection for any particular form of words; but he would assert that the House ought not to legislate in the dark—ought not to legislate in the teeth of the known opinion of the Bar, in opposition to the known opinion of two of the Judges of that Court—that was all he contended for—he did not contend, that a committee ought to be formed, but that the House ought not to decide without evidence. Even supposing it could be shown that the new Judge could do no harm—still the absence of a necessity for his appointment was decisive against the proposed measure. To adopt the language of the right hon. Secretary opposite, he would object to the multiplication of Judges as one of the greatest evils that could attach to the administration of justice. He begged of the House to look a little at the consequences. If a new Judge were appointed in Chancery, the Lord Chancellor would never come into Court, for he might well say that the Legislature had given him permission to be absent, and little reproach would attach to him for availing himself of the services of the new officer—he knew not by what name he was to be called—whether the Orderly of the Lord Chancellor, or by some other appellation—the existing nomenclature of the Courts of Equity was exhausted, and it would, of course, be necessary to find out a new name for him; and, no doubt, a competent term would be discovered by which to designate that high officer. Three men, not of high attainments, but of ordinary abilities and diligence, were competent to discharge the judicial business of the Court of Chancery, and who could quarrel with the Lord Chancellor if he availed himself of the license which the proposed measure afforded him? Upon grounds, then, such as these, he would press upon the House the adoption of his Resolution. In every step he took in this argument, he found himself fortified by the opinions of all who were the most competent to form a sound opinion upon a question of that nature, that this unrobing, this unfrocking of the Lord Chancellor, was the most unwise step that could be taken in the present state of the Court of Chancery. On the question then under consideration, he might say he had Sir Samuel Romilly with him, who, in the discussions which took place respecting the appointment of the Vice-chancellor, contended that no such officer was necessary, and that his appointment would lead to the Lord Chancellor's degenerating from a legal into a political character, without the learning, the experience, or the talents necessary for discharging the duties of his high station. If at that time a third Judge was not required, and if Sir Samuel Romilly was right, and great weight ought to be attached to his opinion, how true it must be that a fourth Judge was now unnecessary, and therefore mischievous. At an early period of our history it had been the practice for the Lord Chancellor, on his appointment, to deliver an inauguration speech, setting forth his high sense of the duties that had devolved upon him, and detailing the various improvements which he might intend to introduce in the constitution of the Court, and the remedies which he might propose for the redress of grievances, and the reform of abuses; and Sir Samuel Romilly, referring to the speech of Lord Bacon, which was preserved, and to the speeches of others, subsequently, imagined the case of some Shaftesbury—some hackneyed intriguer—some debating politician—hackneyed in debate, and hackneyed on both sides of questions — hackneyed here, and hackneyed there—the ready tool of any party—the possibility of such men attaining to high places—though not now in them—the telescopic eye of Romilly foresaw; and he, as well upon that occasion as upon others, repudiated the appointment of a third

Judge. Ought not, then, the Parliament of the present day, *à fortiori*, to repudiate the appointment of a fourth? Having now laid before the House the material grounds on which he proposed to rest his Resolutions, he should not enter into any more minute details—he would not, with Sir Samuel Romilly, contend that a Lord Chancellor ought to reside at the law-end of the town. He would not quarrel with him for not living in Boswell-court, or Bedford-row, or Chancery-lane, or other places that smelt of the Court of Chancery—he was not quite so strait-laced as that; but he would maintain that the Lord Chancellor ought to have something left for him to do. When the Vice-chancellor's bill was under consideration, in the year 1818, Sir John Leach was of opinion that the third Judge was not required. In that he (Sir C. Wetherell) differed from him. Sir John Leach was of opinion that the Master of the Rolls might, by a judicious alteration in his Court, be enabled to render the appointment of a third Judge unnecessary. Thus every authority that could be found was arrayed against the appointment of a fourth Judge. He was thus fortified with the opinions of these eminent men, and the mischief which they predicted may result; he did not say "will," but "may," if the measure be adopted. But this was not all. He asserted, as he had done in 1828, that when a Judge laboriously applied himself to attack the arrears in a resolute manner, they would soon melt away—

> "Dimidium facti qui bene cœpit habet;"

and as soon as the attempt was made, the victory was won; though he did not deny that Sir L. Shadwell deserved great credit for getting rid of the arrears. And what had Sir John Leach done? He had agreed to sit every day, and he believed that that mode of sitting, and the regularity of managing business, he devoting his undivided attention to it, had materially reduced the arrears. He assured the House that it was his belief that, as the Rolls Court was now administered, it was equivalent to half a new Court; so that we had now three Courts and a half. Under these circumstances, he could not think that the Court of Chancery was overloaded. The appointment of another Judge would take away the Lord Chancellor's functions. No one could then reproach him with not doing his duty; he would say, "I have no duty to do." He would not be attacked as Lord Eldon had been, for taking papers home with him, for he would have no papers to take. Where he would sit he could not tell; but if he came down, he would find a Court without Barristers, and without business; and, like a great character of antiquity, he would be—

> "Vacuâ rex solus in aulâ."

But he (Sir C. Wetherell) might be told of appeals. The ratio of appeals was about four in 100; but this number would be increased by the appointment of a new Judge, for there would be appeals from him too, as well as the Vice-chancellor and the Master of the Rolls. It might be said, as indeed it had been said, that the Chancellor would no longer have to hear original causes; the hearing of these he supposed would be put off on the Chancellor's Jack Rugby—or Orderly, or whatever other appellation this new anonymous Judge was to be invested with. But then Gentlemen would see that the Chancellor ought to be a man of greater learning and of more correct judgment than the inferior Judges whose decrees he was to control and correct. Now he should like to know how a Chancellor living a life of judicial idleness was to obtain these qualifications. A Chancellor so situated might have been bred in a Court of Law, and might carry with him into his new office a great deal of common-law learning, and of *nisi prius* ingenuity, (he was not speaking of the present Lord Chancellor, he was merely putting a case that might happen), but if he had no Court to practise in, no Court in which he could learn his new business, he not only never could be a proper Judge of appeals, but he would be lower in learning, and knowledge, and experience, than any one of the Judges, whose decrees he was called upon to revise. He said, then, that it was a farce, that it was a mockery, that it was a delusion, to call that man an effective Judge of appeal who was not comparable in learning to the inferior Judges, and who was ten times more liable to error than those whose errors he was called upon to control. Look at the case of Lord Thurlow, a man of great common-law learning, and of vast powers, but not of the most industrious habits,—and admit that Lord Lyndhurst, or any future Chancellor, was equal to my Lord Thurlow in ability. Now, he had been told by a gentleman who had been a Welsh Judge,

—but a gentleman against whom none of the common objections to Welsh Judges could be made,—he had been told, by Mr. Justice Lloyd, that strong and vigorous as Lord Thurlow's talents were, many persons doubted whether, notwithstanding his eminent parts, he would be able to perform the duties of Chancellor, and thought that Lord Loughborough would have been a better person for the office. This eminent person, however, of whom such doubts were entertained, managed, in a very short time, indeed, though wholly unacquainted with Equity when he was appointed Chancellor, to make himself completely master, not only of the highest branches of the new science, but even of the minutest points of the practice of the Court. This any one who had perused Lord Thurlow's judgments, and was able to understand them, must admit to be true; and it was notorious that the same learned Judge, after having held the Seals for eight or ten years, left the Court, he would not say with as high a reputation as Lord Hardwicke, who held the seals for twenty years, but certainly with as high a reputation as any Chancellor of modern times. And how did this happen? Why, Lord Thurlow had no Vice-chancellor, no Jack Rugby, no anonymous Judge to perform his duties for him; he was, therefore, obliged to rouse himself to diligence and exertion, and in a very short space of time, labour and discipline made him an Equity Judge, though on coming into office he was totally ignorant of the science of Equity, and had contracted habits which, to say the least of them, were not habits of industry. Take again Lord King, who was also from the common-law bar, but who, by the same exertion, left the Court with the credit of being a good Chancellor, though his reputation was not so great as that of others who had filled the same office. So it had been with Lord Camden. In fact, a man of talent and judgment would soon administer the newly-acquired office, as well as if he had been bred in it all his life; but this could only be effected by labour and discipline, and not by suffering the Chancellor to lead a life of judicial idleness. On these grounds, therefore, he opposed this Bill, which, as he had before observed, had nothing to do —no connexion—with the two bills of his hon. and learned friend, the Solicitor General, and which, therefore, he again cautioned the House against mixing up with that which had come down from the other House. He considered himself now as if he were voting on the bill of 1828, only with this difference,—that then it was a problem whether the arrears could be got under. That problem was now solved—the arrears had been got under; and if a new Judge were unnecessary in 1828, another fourth Judge was certainly unnecessary in 1830. The hon. and learned Gentleman concluded by moving the Resolution stated at the opening of his Address.

The *Solicitor General* said, that this was a question of very great importance; a question, namely, whether they should agree to a measure for the facilitating the administration of Justice in the Court of Chancery,—a court which had been the subject of so many complaints, and of so much animadversion. Such a subject he had hoped, and did still hope, would be approached as it ought to be, with evenness of temper and with calm and sober consideration. He thought he had some right to complain—though he did not feel very anxious to exercise that right—of the course which had been adopted by his hon. and learned friend. He had a measure to bring forward; it was his duty to state to the House the nature of it, and the reasons upon which it had been recommended; but his learned friend, by the motion and speech he had just made, had anticipated the discussion, and arraigned in the most vehement terms a proposition of which the House had not yet heard a single syllable. His hon. and learned friend had described this measure as a job; he had called it a pestilent, a noxious, and a mischievous measure; and because no name was given to a Judge who was not yet appointed, his hon. and learned friend thought it necessary to supply that defect, and to dub the judge "Jack Rugby," and the "Lord Chancellor's Orderly," and he knew not what else besides. If he were right in supposing that this subject was one of importance, and that it ought to be approached with calmness and consideration, he could not congratulate his hon. and learned friend upon the jokes he had made, and the ribaldry he had brought to bear upon so grave a matter. If his hon. and learned friend intended by these means to show that the measure was a bad one, he thought his hon. and learned friend had failed; but if the object of his hon. and learned friend had only been to excite the laughter of hon. Members, no one could deny that his hon. and learned friend had completely succeeded. But the Motion of his hon. and learned friend was quite as extraordinary as the speech by which it had been introduced. His hon. and learned friend had told them that it was a thing quite notorious that another Judge in the Court of Chancery was not necessary, and yet the Motion of his hon. and learned friend was, that the House should examine evidence as to the fact whether such appointment was or was not necessary. His hon. and learned friend had spoken of a letter of the Master of the Rolls. He had not seen that letter, and therefore could say nothing about it. The Master of the Rolls was doubtless a very competent judge upon all matters connected with the Court of Chancery; but at the same time it might happen that that learned person was too sanguine in his views of the means by which the business of the Court could be got under. The House, however, would have an opportunity of judging of that by the statement which he should presently submit. His honorable and learned friend, too, had said that the Vice-chancellor had taken all the pains he could, to stop the introduction of this Bill. Now he asserted, on the contrary, that the Vice-chancellor, at the beginning of the year, had told the Lord Chancellor that this Bill was necessary; and, moreover, that the Lord Chancellor never knew that the Vice-chancellor had altered his opinion on the subject, until he was told of it in another place. He should be sorry to say any thing that might be displeasing to that learned Judge, for whom he entertained a very great regard, and he only stated this fact in order to show that the Vice-chancellor could not have taken any pains to stop the introduction of this Bill, and that, consequently, his hon. and learned friend must be mistaken in what he had said on this subject. He did not wish to interpret strictly the expression of that learned Judge—"that three angels could not get through the business of the Court of Chancery." If the expression did not mean that some more than human power was necessary, it certainly could not mean any thing less than that there should be more than the present number of persons to transact the business of the Court. For his own part, he had no wish to retract any thing he had said in 1828; but at that time he had only just entered the House, and the manner in which he had been received by the Gentlemen opposite had so embarrassed him, that he was scarcely able to proceed. It was no wonder, then, if, under such circumstances, he had been indistinctly heard and misunderstood,—however accurately, generally speaking, what fell from Members in that House was recorded elsewhere. He recollected perfectly well that he did use the word "revolutionize;" but he certainly did not say that the appointment of another Judge in the Court of Chancery was a revolutionary measure. He had used the word "revolutionize," in reference to the proposition of some Gentlemen opposite, that we should have a new code of laws like the Code Napoleon; and this he had said, would revolutionize the country. It was true, also, that at that time he was opposed to the appointment of another Judge. He had stated, that to multiply the number of Judges was an evil; he thought so still, and nothing but necessity could reconcile him to such an appointment. The House would judge if there did exist that necessity. The measure now came forward coupled with other measures for the improvement of the administration of justice, and this gave a new character to the proposition. He thought now, as he had thought then, that the increase of Judges was a great evil; but he knew that it was absolutely required for the due administration of justice, and on that ground he thought that the proposed measure ought to be favourably received by the House. This was not an opinion that he had formed on the instant; for, last Session, as all the Bar knew, he was of opinion that such a step was necessary, and he would venture to say, that 99 out of every 100 of that Bar were of the same opinion; therefore, how his learned friend had come to the conclusion that not one of that Bar was in favour of the appointment of a new Judge, he could not conceive. The next witness that his learned friend had called in behalf of his Motion was Mr. Bell. Every one must have a very high opinion of the talents and attainments of that gentleman, but, at the same time, it was to be remembered that he had retired from the Bar for some time, and, therefore, was not quite so competent to judge of its present state. His learned friend had next relied on what had been stated by the hon. member for Wootten Bassett, but the opinion expressed by that learned Gentleman had decidedly been, that another Judge was necessary; and, with respect to the right hon. Secretary, he knew that he felt as he (the Solicitor-General) did; they both looked upon the appointment of a new Judge as a great evil, but in this case unavoidable. His hon. and learned friend had referred to the opinions of Sir S. Romilly and of the present Master of the Rolls on the bill of 1813; and had called upon the house to act upon those opinions now. He, however, begged the House to recollect that his hon. and learned friend was, in 1813, a Member of that House; that his hon. and learned friend listened to those opinions, and that those opinions not only failed to convince his hon. and learned friend, but that he had actually voted against Sir S. Romilly and the Master of the Rolls on the occasion alluded to. Nay, further, all the predictions contained in the speeches of Sir S. Romilly and the Master of the Rolls, respecting the mischievous consequences that would result from the appointment of a Vice-chancellor, had turned out to be erroneous; but his hon. and learned friend seemed to have forgotten that fact, and he now re-echoed those predictions, applying them to the present Bill. Might not the result be the same in both cases? His hon. and learned friend turned a deaf ear to those predictions in 1813, because he thought there was a necessity for the appointment of a Vice-chancellor; and seeing, or thinking he saw, a necessity for the appointment of another Judge now, his hon. and learned friend could not blame him if he followed his example, and placed no reliance upon similar predictions on the present occasion, though his hon. and learned friend had adopted and made them his own. Having said thus much with respect to the arguments that had been adduced by his learned friend, he would now take the liberty of calling the attention of the House to what was really the state of the case with respect to the Court of Chancery. For about two centuries this Court had been continually the object of discussion in the House of Commons; and bills had frequently been introduced into that House for the purpose of getting rid of the delays that had always existed in the Court. How was it that members in these days recommended the same course that had been recommended formely? Was it that the lawyers, in those days, resisted any alteration; or was it that those in power would not acknowledge the faults that existed? But whatever was the cause, it was indisputable that the Court was nearly in the same situation as now. That was a lesson which ought not to be lost on the House; and if Government could make out a case to show that assistance was necessary, he thought that what he had stated should influence the House, not to reject the proposal. Lord Chancellors had always made a rule to boast of what they would do in the way of improvement; but he did not find that much had in that way been effected. Lord Bacon, in his inaugural oration which had been alluded to, had set them the example; but though he made promises which, if they had been kept up, would have cleared away all arrears, he did not perform anything. In 1620, the state of this Court was in such a position, that it could not be said to have any bearing on the business of the present day; for perhaps the House would hardly credit that Sir Edward Coke had stated, that in one year there were 35,000 bills filed; and though Sir F. Fane had stated that there were only 16,000 subpœnas, this might very well be, for at that time it was the practice to issue subpœnas without bills being filed, which must have rendered the Court an intolerable nuisance. At present there were never more than 2,500 bills filed in a year, and no subpœnas were issued unless bills were filed. In former times the unlimited jurisdiction of the Court of Chancery was the root of the evil. He had met with some curious cases in the reign of Henry 6th, which would illustrate this. There was one bill filed by an attorney, praying that the defendant might be restrained by oath from pursuing the plaintiff with witchcraft. There was another in which it was prayed, that the defendant should be restrained from outraging the plaintiff in consequence of the latter following the doctrines of Wickliffe; and a third, which had allusion to violence practised on a maid servant, and which he need not more fully particularize. When the jurisdiction of the Court became more limited, the complaints did not, however, cease, and it was a remarkable fact, that as early as the year 1620, a bill was introduced into the House of Commons, for the appointment of two assistant Judges for the Court of

Chancery. During the Commonwealth, it was actually provided that six judges should assist that Court in the hearing of appeals; and one of the ordinances of Cromwell was to the effect that no man's case should wait an instant for hearing, when it was ready; but the present system of the Court was, to hurry a man on to the hearing, and when he was ready for that, he found that the Court was so choaked up with other business, that he was obliged to wait for his opportunity. The regulations of this Court, however, as to business, had certainly received some improvement; for Whitelock stated, that on those points, even down to his time, there was no fixed law. Again, a bill was brought in by Lord Nottingham, the founder of modern Equity, for the improvement of the Court of Chancery; but it was lost. Lord Somers, subsequently endeavoured to accomplish the same object by similar means, but he too failed. For nearly two centuries there had been a constant endeavour to legislate for this Court, and always without effect; and for this reason, that in looking at the evil, no sufficient consideration was given to the natural remedy—that of giving the necessary assistance to despatch the business. By the Bill now before the House, however, great relief would be afforded, for time would be given to the judges, which at present they had not, to settle the terms of their decrees. It had often happened to him to hear a Judge of that Court pronounce his decree in a cause, but before he could settle the terms in which it was to be given, another cause was called on, and the terms of the decree were to be arranged at some future time. It had often happened to himself, when engaged in a cause, that he had not time to endorse the terms of the decree on his brief before he was called on in the cause; and the result of this was, that Solicitors and Agents were afterwards obliged to attend before the officer of the Court to ascertain what were the exact terms of the judgment, which, besides creating vexatious delay, led the suitors to wanton and extravagant expense. A remedy for this would be afforded in the additional assistance to be given by this Bill. An endeavour to remedy the evils complained of in this respect was a favourite plan in the Commonwealth, and every lawyer who was acquainted with the practice of the Court must be aware of the great importance of giving full time to the Judges of the Court to draw up their decrees correctly. The great importance of having sufficient aid to get through the business of the Court would be at once admitted, when it was stated that there were at the present moment not less than 40,000,000*l.* of money in the Court—the property of suitors. He must not be understood, however, as saying that the whole of this was in litigation. A considerable portion of it was paid into the Court by parties who thought it was in very safe keeping when there; and many did it as the most secure way of keeping it for their children and others committed to their care. He would mention one amongst many cases that could be cited. A learned friend of his, to whose children a property had been left, thought that he could secure it for them in no better way than by placing it in Chancery, and for this purpose he filed a bill, and paid the money into Court, to be paid out to them when they became of age. In this way many bills were filed which were not intended for a hearing. The number of bills filed in former times were said to be 35,000 in a year, but now they did not exceed 2,400, which certainly was quite enough. It was true that many of the causes entered did not get as rapidly through as causes entered in the Courts of Law, but the delay arose from the nature of the causes themselves, and the evidence by which they were to be supported. In causes where this was not the case, the proceedings were as rapid as in the other Courts. At times four or five-and-twenty were disposed of in a day; but some causes occupied the Court for many days together. There were two of this description some time ago,—one before the Lord Chancellor, and another before the Vice-chancellor. One of these lasted seven days, and the other still longer; yet he could state that not one hour of that time was wasted—but the nature of the evidence—the variety of deeds and settlements—the long detail of family arrangements and agreements, which were to be examined and sifted in detail, rendered such a length of time in hearing the cause unavoidable. These matters were the work of years before they came into Court, and the Court had to unravel them all before it could pronounce a decision. One case lately before the Lord Chancellor—that of Fuller against Willis, which was a case of mismanagement during a minority—was of this description, and lasted many days: but the tediousness of proceeding in such cases was not to be attributed to the Court. No man could by any possibility abridge it; and when this was so, could it be a matter of surprise that an arrear should accrue? When it was seen how some of those cases branched out, the conviction must follow, that there was not force enough in the Court to get through the business before it. When the vast increase of the business in the Court of late years,—to come down from the more remote periods of which he had been speaking,—was considered, the surprise should be, not that so much was left in arrear, but that, with the force there was in those Courts, so much should have been disposed of. Every Government, for a long time past, had been disposed to apply some remedy, but none of them had applied that which was most required—that of giving additional assistance in the Court. Let the House consider what the increase of business had been. A little more than a century ago the union took place with Scotland, which was, before, not under the jurisdiction of the House of Lords; and that, at a more recent period, was followed by the union with Ireland. By these two circumstances, the number of appeals to the House of Lords had been greatly increased. To this, must be added the great increase of business and wealth in the country, with the various modes of settling estates and disposing of property, giving rise to a variety of litigation, and explaining the cause of the great delays and arrear of business of which the public complained. Appeals were now multiplied from Scotland, in addition to the increase of those in England. The consequence was, that the attendance of the Lord Chancellor in the House of Lords, for the purpose of hearing appeals, had necessarily diminished the time he could bestow upon the business of the Court of Chancery, yet there was no Court where delays in the progress of a suit were more injurious to the parties. In the course of a cause reference was made to the Master upon some points. The cause of course was stopped till the Master made his report; but then, when the report was ready, the paper was so crowded with other business, that twelve months often elapsed before the further hearing of the case could be obtained. This alone would be a sufficient reason for additional force in the Court. On account of the increase in the number of appeals, the Lord Chancellor was occupied for five or six hours a day in attending to them in the House of Lords; and this must necessarily delay the Chancery business, for no man could be in two places at once; and he had not heard any one say that the Lord Chancellor ought not to preside in appeals as well as in Chancery. The hon. and learned Member then referred to the business in the House of Lords, to show that the progress there had been slow at all times. In 1751, there were eight appeals lodged and only two determined; in 1753, the number of appeals was twelve, and nine determined: In Lord Thurlow's time, in 1778, there were thirty-five appeals, and twenty determined; in 1779, there were fifty appeals, and seventeen determined. There was no greater evil than thus to have the Court of Appeal blocked up, as it made parties who were in the wrong, appeal for the very purpose of delay. One great advantage of the previous arrangements he meant the appointment of a Vice-chancellor was, that appeals were now heard in a much shorter time than formerly. The present Lord Chancellor was hearing as appeal cases, those that had been tried last Session, or even during the present Session. This was a satisfaction to those who had a good cause. Formerly they were discouraged by the probable delay of twenty years from appealing; but now, when they stood a chance of having an appeal decided in a few months, they did not hesitate to appeal. It had been his own lot formerly, in business, very frequently to advise parties not to appeal, on the ground that there was no chance of getting a hearing for fifteen or twenty years. The following he stated as the general view of the matter:—

Years.	Appeals.	Causes. Determined.
1770 to 1775	272	114
1777 to 1780	344	228
1780 to 1790	223	123
1791 to 1800	290	152
1800 to 1810	492	130

The hon. and learned Member went on to show, that there had been in all the Courts of Equity a great increase of business. The number of bills filed, he observed, in Lord Hardwicke's time was said to be as great as at present;—that might be, but the business was not the same as now;—and Lord Hardwicke had to give less attention to appeals in the House of Lords than was required from the Chancellor at present. In 1745, the number of bills filed, was 2,064; in 1829, it was 2,178; but the business in Court connected with them was much more heavy. The hon. and learned Gentleman contrasted the number of causes, exceptions, rehearings, pleas, and motions, heard in ten years, from 1745 to 1755, with the number heard in a similar period in the time of Lord Eldon, beginning with 1806, and showed that in all there had been a vast increase. In the motions alone there had been an increase in the latter period, as compared with the former, of from 37,880 to 57,063; and many of these motions were equal to causes; for parties anxious to obtain the opinion of that noble and learned Lord, frequently put the important points of their cases into the shape of motions, by which the decision in the cause was in a great degree anticipated. He did not say that this was the best course that could have been pursued, but the noble and learned Lord saw the necessity of the case, and yielded to it. He next proceeded to detail a similar increase of business in the Rolls' Court. Adverting to the creation of the office of Vice-chancellor, the hon. and learned Gentleman observed, that it was not at first intended for assistance in the despatch of Chancery business, but to enable the Lord Chancellor to pay greater attention to the business of appeals. Any one who had paid any attention to the pamphlets and speeches of that day, would see that the predictions as to that office had not been fulfilled. All the great men—such as Sir Samuel Romilly, Lord Redesdale, and Mr. Canning—who had spoken or written on the subject of creating that new Judge, had reasoned erroneously. Not one of them had at all foreseen what had actually happened. They were all wrong, which was, in his view, a good reason not to place much faith in those who opposed the present Bill, on reasons similar to those which were then urged. It was said that the Vice-chancellor would be the chief Judge in Chancery, and that the office of Chancellor would be reduced to a mere political office. One great vice in that bill was, to make the Vice-chancellor dependent on the Lord Chancellor. There was a difference between being inferior in degree and dependent. This would be avoided in the Bill on the Table, and the new Judge, as well as the Vice-chancellor, would be completely independent of the Lord Chancellor. Since the appointment of the Vice-chancellor, some delay had been occasioned by his illness; but the illness of a Judge must be calculated upon, and provision should be made to have such a force in court as would prevent any injury to the public business by it, which was one great object of the Bill on the Table. The number of bankrupt petitions which had been heard by the Vice-chancellor from the time of his appointment to the end of 1829 amounted to 5,404, besides 60 appeals; so that there was manifestly a considerable gain to the public. From the year 1813 to 1821, the Vice-chancellor had heard 2,428 causes, 1,865 exceptions and further directions, and 510 pleas and demurrers; and in 1829 alone, he heard not less than 120 motions. Drawing the natural inference from these and other facts, with which it was unnecessary to trouble the House, he submitted that it was made sufficiently apparent that the Lord Chancellor would have been altogether overwhelmed by the perpetual accumulation of business, had not the Vice-chancellor been appointed to assist him. By way of a set-off against that business, there had been in eight years, from the year 1813 to 1821, 227 re-hearings of appeals, making an average of 28 yearly, including re-hearings by the Master of the Rolls, and the Lord Chancellor himself. It ought to be borne in mind, that no observations had been made with reference to the measure now proposed which did not equally apply to that of 1813, and that no objections were suggested on the present occasion which might not be considered mere repetitions of those that had been then urged against the appointment of the Vice-chancellor. He therefore trusted, that the House, if it should be convinced of the necessity of the change in question, would not be led away by the arguments which had been already abundantly refuted by the very consequences of the measure against which they were first directed in 1813. If the House would place any reliance on him, he could assure it that another Judge was as necessary now as it was when the Vice-chancellor was created. He knew that all these details were very dry, but there were no other means of ascertaining the results, and he found his apology for trespassing so long on the House in the fact that the Legislature could perform no more important duty than to provide for the administration of justice. That was the first and the chief duty of the Legislature. When the Courts were bad, the people were made discontented, and he did not know a more ready method to make the people discontented than for the Government not to provide them with good tribunals, where justice should be speedily and readily administered. The hon. and learned Member then entered into further details, to show that the present Lord Chancellor had heard and decided a great number of appeals in the House of Lords. The House, in considering the nature of the measure now before it, should recollect that this was the Bill of last year, and that it was the result of the labours of the Commission appointed to inquire into the state of the Courts of Equity. The hon. and learned Gentleman had declared that the arrears of the Court were greatly diminished. Now, what was the real state of the case? In the year when the present Lord Chancellor came into office, the number of original causes set down for hearing, in different stages, were 776, and of appeals there were 113. In the year 1828, there were 784, and 69 appeals. In the year 1829, they had increased to 818, and there were 95 appeals; and in the year 1830, at Hilary term, they were 933, with 84 appeals, 382 pleas, and 462 causes in different stages. So that the business of the Court had not diminished, but increased; and this was further illustrated by the fact, that at the time when the Vice-chancellor was appointed, the arrears before the Court were only 218. He was convinced, indeed, that the more the facilities for the despatch of the business of the Court were increased, the greater would be the amount of that business; and he was sure, that if the new Judge were appointed, the number of causes annually brought under the consideration of a court of Equity would receive a very considerable addition. He thought it, indeed, a proposition wholly void of truth, that because the business of the Court might be momentarily decreased, therefore no new Judge should be appointed. There were many periods in the history of the Court of Chancery, where not a single cause remained for hearing; but he did not think that such a despatch of the business of the Court was calculated either to satisfy the suitor, or raise the character of the Equity jurisdiction. He knew, and had frequently deplored it, that the observations which were every day made by the Members of that House with respect to the practice of the Court of Chancery, had very much lessened the favourable opinion of the character of its Judges, and abated the reverence with which their decisions should be regarded. He had observed this frequently, and it was with him a cogent reason for the adoption of a measure like the present, which would remove some of the causes of complaint, and allow the Judges to assume their just and proper station in the opinions of the public. He knew that the greatest exertions had been made by all the Judges of the Court to get rid of the arrears of business. In bankruptcy, in particular, the Vice-chancellor had laboured unceasingly, until not one petition, he believed, now remained undisposed of. That most learned Judge deserved infinite credit for the manner in which he had got rid of the task imposed on him. But how had he done it? Why, by devoting that time which, as holidays, were wisely set apart for obtaining information, and recruiting the bodily and mental powers—by devoting every hour that could be thus snatched from the time allotted for health or recreation to the despatch of the business in bankruptcy. He was convinced that great mischief, however, had been produced in other branches of Equity, by pushing and goading on the business of the Courts, and he believed no greater blessing could be conferred on the suitors in Equity than the appointment of an additional Judge. Now, turning to the subject of the Welsh Jurisdiction, he might say that the business of the Court of Equity would be increased by about fifty causes by the new arrangements. It was said at first, indeed intended, that the Welsh business in Equity should be transacted in the Exchequer; but a noble Lord (Clive, we believe) having presented a petition, claiming for the Welsh the power of prosecuting their causes in a Court of Equity, it was determined not to deny the privilege which they desired, although so many others were anxious to avoid its exercise. It was intended, therefore, to allow the Welsh causes to be determined in Chancery, and this would make an accession of fifty to the general causes of the year. He might say here that it was not sufficient for the proper administration of justice that causes were determined rightly and speedily, they must also be determined to the satisfaction of the contending parties; and it should always be recollected, as Bacon had wisely laid it down, that nothing was more mischievous than for a Judge to draw on his head for instruction rather than to follow the ordinary rules of law. In the King's Bench, where the hon. member for Knaresborough generally practised, these rules were well understood, and invariably followed; and he repeated, he knew no greater evil than the existence of any state of things which should compel the Judges in Equity to follow a different course. When, however, the Bill was brought into force, if, as he fondly anticipated it would be, it was intended to divide the Court of Exchequer, and to make that Court, with all its present officers and machinery, a grave Court of Common Law—when this was effected, and a new Judge appointed in Equity, he hoped the accumulation of arrears in either of the branches of law would be prevented for ever, and the recommendation of the commissioners, of which this Bill was one of the results, be rendered really beneficial to the country. Altogether the Lord Chancellor sat 200 days in a year—50 of these were given to appeals—50 to the House of Lords—35 to lunacy and other matters of that description, and 65 to general business. Now the new Judge, if appointed, would also sit 200 days; but allowing deductions for peculiar duties, he would have 175 days for the despatch of general business. It was intended to propose that the new Judge, as well as the Vice-chancellor and the Master of the Rolls, should be an independent Judge; but he begged distinctly to express his objection to make the Lord Chancellor a Judge solely in appeal. He considered it, on the contrary, a great benefit to the suitor that the Judge in Appeal should also be engaged in general business, and after giving the subject the most mature deliberation, he was disposed to propose, not only that the Lord Chancellor should continue a Judge in appeal as well as in general business, but that he should also take with him in appeal two of the three Judges: the one excluded being the Judge who originally heard the cause. By thus constituting a kind of Exchequer Chamber for appeal, he hoped to put an end to many vexatious and frivolous appeals brought under the present system, and at the same time very much to diminish the number of appeals to the House of Lords; for he would allow the suitor to appeal either to the Lord Chancellor and the Judges sitting in this kind of Exchequer Chamber, or to that House, but not in any case to both. This was his plan, and he thought it well worth consideration. After adverting to the state of appeals in the House of Lords, and proving that they had been reduced, including Irish, English, and Scotch appeals, from 95 to 81, since the appointment of Lord Wynford to preside there in the absence of the Chancellor, the hon. and learned Gentleman proceeded to answer the objections taken by the learned Gentleman (Sir C. Wetherell) to the new bill respecting the offices of Registrar and Masters in Chancery. The learned Gentleman had called those bills unnecessary; but he begged to tell the hon. and learned Gentleman, that unless they cleared away the impediments which these bills were intended to remove, by altering the condition of the officers of the Court, there would be no use in appointing a new Judge. Unless the minor parts of the Court were better adapted for the despatch of business, all alteration of the higher would be labour thrown away. And here he begged to say, that he was authorised by the Lord Chancellor to declare, that he had no desire to increase his patronage in the appointment of Registrars. His Lordship was perfectly willing to abandon all his claims on that point, and leave the two new Registrars, whose services were considered absolutely necessary for the despatch of the business of the Court, to be appointed by the Judges of their respective Courts. This addition to the number of Registrars, it should be recollected, was also one of the recommendations of the Law Commissioners. It had been recommended that Barristers should be substituted for Registrars. But if the House, as he hoped, would allow the Bill to go into a committee, he would there show why, in his opinion, that proposition ought not to be adopted. With respect to Masters, it was intended to get rid of copy-money, and to substitute fees; with a view to the rapid discharge of business. As an individual, he thanked the House for the attention with which they had listened to him, but the subject was one which, he owned, demanded their most serious attention. Nothing could be more important than to increase the facilities for the dispensing of justice. It was his firm belief that the Bills on the Table would greatly facilitate that object, as connected with the Court of Chancery; and a greater boon could not be conferred on the country.

Mr. *C. Ferguson* said, that as it was impossible at that hour to continue the debate beneficially, he would move as an Amendment to the original Motion, that the further consideration of the Question be adjourned to Tuesday.

After a short conversation the Amendment was agreed to.

Hydrophobia.] Mr. Alderman Wood having obtained leave to bring in a Bill to prevent the spreading of Canine Madness, brought in the Bill, which was read a first time, and ordered to be read a second time on Tuesday.

HOUSE OF LORDS.

Friday, June 11.

Minutes.] Petitions presented. By Lord Holland, from Winskill (Somerset), and from Dorking, against the Punishment of Death for Forgery. From the Anti-Slavery Society, for the Abolition of Slavery, by the Duke of Gloucester. From Dennington (Devonshire), against the renewal of the East India Company's Charter, by Lord King. From the Parish of Newtown-Smith, County of Galway, in favour of the Galway Town Regulation Bill, by the Earl of Limerick:—From the Rev. Henry Morgan, of Galway, against that Bill, by the Duke of Wellington. From the City of Chester, against the Monopoly of the East India Company; and from certain Miners in Flintshire, praying for an increased Duty on Lead, by Earl Grosvenor. From certain Retail Brewers of the County of Surrey, against the Monopoly of the Great Brewers, by Lord Goderich. From the Inhabitants of the Town of Ross, against the Scotch Inventory Duty; and from the Wesleyan Methodists of Birstall, and from three other places, for the Abolition of Slavery, by Earl Gower. From the Town of Galway, in favour of the Galway Town Regulation Bill, by the Marquis of Clanricarde.

Tithe Composition Bill.] Lord *Durham* observed, that a bill—the Tithe Composition Bill—had been introduced by the right rev. Prelate opposite, and read a first time, but no step had been since taken with respect to it. He wished to know whether the right rev. Prelate meant to proceed further with it in the present Session? He gave notice, that if the right rev. Prelate meant to press the measure forward, he would move that the subject be referred to a committee, because it was one which most deeply affected the whole landed interest of the country. He thought that the Bill ought not to have emanated from those who were so deeply interested in the subject.

The Archbishop of *Canterbury* said, it was not his intention to carry the measure through in the present Session. He wished it to be read a second time, and to go through a committee, where it might be amended. The Bill, so amended, should be sent through the country, for the purpose of being generally considered. As to what the noble Lord had said with respect to those with whom the Bill originated, he had only to observe, that no feeling was entertained on the subject except that of acting equitably and fairly to all parties. He believed that the measure would be found very beneficial both to the landowners and the clergy.

Lord *King* observed, that the preamble of the Irish bill was absolutely contradictory to the preamble of the English bill. In the former it was recited, that the state of the agriculture and population of Ireland was such as rendered the measure necessary; but it was averred that no such state of things existed here. Why, then, was this Bill proposed? If it were felt that the Church of England was placed in such a state of security in consequence of the repeal of the Test and Corporation Act, and the removal of the disabilities affecting the Roman Catholics, that such steps might now be taken by the Establishment, as could not be ventured on before, he should be very glad to hear it.

The Archbishop of *Canterbury* said, that the preamble to the Irish Act was not drawn up by him, and therefore he was not accountable for it. With respect to the other point mentioned by the noble Lord, he could assure him, that the introduction of the Bill had nothing to do with the subjects he had adverted to.

The Earl of *Malmesbury* thought the Bill was unnecessary, and that it would be better to let the tithe be collected in the accustomed manner. He would recommend the Bill to be read a second time, *pro forma*, that it should then be printed, and dispersed over the country. In his opinion the whole subject ought to be referred to a select committee, in preference to a committee of the whole House.

The Archbishop of *Canterbury* explained, as he had previously done, his intention with respect to the Bill.

Lord *Holland* objected to the second reading of the Bill without observation; because, by pursuing that course, their

Lordships would agree, in the absence of all information, to the principle of the measure.

Greece.] The Marquis of *Londonderry* said, it was with considerable regret that he rose to address their Lordships again, with respect to the papers relative to Greece, which had been laid on their Lordships' Table; but he did think, that when he introduced the subject on a former evening, the noble Secretary for Foreign Affairs had not treated him very courteously. In pressing for further information, he only wished to enable their Lordships to arrive at a perfect explanation of every part of the contents of those papers which had already been produced. He thought that this was necessary, for, taken altogether, the negotiation was one of the most extraordinary diplomatic transactions ever known. He feared that he should not be able to get from the noble Earl what he was then going to move for; because, the other night, when he addressed the noble Earl on a point which appeared to him to be very important in these transactions, the noble Earl stated that it was a mere isolated fact. That was the noble Earl's diplomatic view of the subject. He called the consent of Turkey to the arrangement of the affairs of Greece an isolated fact. On that occasion he animadverted on the series of papers respecting Prince Leopold; and he asked whether any thing on that particular subject had occurred previously to the first letter addressed by the noble Earl to his Royal Highness, on the 31st of January, which contained such strong and uncourteous expressions as could not, in his opinion, be defended. The noble Duke was not present at the discussion on that evening; but as he had then the advantage of seeing the noble Duke in his place, he would take the liberty to ask him one or two questions. In Prince Leopold's answer to the noble Duke, in which he referred to the charge insinuated against him by the noble Earl, in his letter of the 31st of January, where it was hinted that his Royal Highness acted under the influence of certain political advisers in this country,—a course which, the noble Earl observed, was derogatory to the dignity and consistency of his character,—a passage occurred, to which he begged leave to direct their Lordships' attention. The communication from Prince Leopold to the Duke of Wellington was dated the 9th of February, and his Royal Highness there expressed himself in these terms:—"I cannot conclude without directing your Grace's attention to the uneasy position I am in. To avoid jealousies, and their attending perplexities, I have abstained till now from consulting any body. I am, however, fully sensible of my own inadequacy to grapple with an object of such vital importance to the happiness of a whole people, as well as to myself; but I shall not ask advice of any person before I have received your Grace's answer to this letter, and before I have named to your Grace the individual by whose judgment I should like to be assisted." Now he would ask the noble Duke, whether he believed the assertion which Prince Leopold thus made to him? Because if he believed that assertion, what then became of the observation in the noble Earl's letter of the 31st of January, where it was insinuated in the strongest language, that Prince Leopold had consulted with particular advisers. He hoped the noble Duke would inform him whether he really believed this statement of Prince Leopold or not. Laying aside that series of papers, he would advert to the annex A to the Protocol of the 12th of July, 1827. In that protocol an allusion was made to two great Powers,—namely, Austria and Prussia. Their Lordships must know, that formerly treaties of such general interest were negociated by the five great Powers of Europe; but here a new position was taken up by the noble Earl, and they found that in these important transactions, two of these Powers—Austria and Prussia—were scarcely named. Surely, in a grave and serious proceeding of this sort, the opinions and sentiments of those Powers ought to be known. In the protocol in question it was stated—"L'Autriche n'a pas voulu signer le traité; mais elle a declaré nonobstant, que les trois cours alliées pouvaient compter sur ses efforts auprè du Divan, afin de le décider à accepter leurs propositions. La Prusse a montre les mêmes dispositions. Vous aurez donc soin, autant qu'il dépendra de vous, de faire comprendre aux Turcs, que si ces deux Cours n'ont pas pris part au traité, elles ne sont cependant pas opposées, dans le fond, au systême de celles qui l'ont signé. Vous pourriez d'ailleurs le prouver, car les Plenipotentiaires d'Autriche et de Prusse recevront l'ordre de

seconder vos démarches, et celles de vos collègues de France et de Russie; c'est du moins *l'assurance* qui nous est donnée." Now, he thought it was very important for their Lordships to know, what the assurance mentioned in this passage was, because, neither in that protocol, nor in the papers which followed it, could he find any mention made of the positive opinion of Austria or of Prussia. He therefore begged the noble Earl to furnish the House with copies of all the conferences which related to the assurance given by Austria and Prussia, of their intention to co-operate with England, France, and Russia, in the settlement between Greece and the Porte, as mentioned in the protocol of the 12th July, 1827. These were most important papers; and, as he understood, contained a very decided opinion on the part of Austria, with respect to these transactions. He thought, therefore, that the House and the country had a right to expect this information. He certainly had a very strong feeling with respect to Austria. That power, which had been *la puissance conservatrice* of Europe, whose resources had placed her in a situation, from time to time, that enabled her to effect great political objects, had been, on this occasion, most unaccountably kept in the back ground. She seemed to have been lost sight of in these transactions altogether. Perhaps she considered the course adopted to be disgraceful, and had therefore given the business up. If the papers were granted, there would be discovered throughout the whole of the proceedings, a species of policy, which he thought would be hardly justifiable in any country. The vacillation which distinguished these transactions was most remarkable. On the one hand, it was tried to steer as nearly as possible according to the views taken of the Treaty of London by a right hon. Gentleman now no more, who was certainly supported in these views by a large body of the talent and ability of that House; while, on the other hand, an endeavour was made, to adhere, at the same time, as closely as it could be effected, to the views taken by another statesman, who preceded the right hon. Gentleman; thus seeming to imply, that the opinions and views of both parties were correct. There had been, in fact, in his mind, an attempt made by Ministers to connect, as much as possible, the opinions of all the leading political characters in that House, and to paralyze, as far as possible, the discussions as to the manner in which these negotiations were conducted. The noble Earl would, however, find, in the end, that, between all those parties, he must fall to the ground. We had descended to the rank of a second-rate power, and, in consequence, we were not in a condition to command those parties, which we might have formerly done. When the Treaty of London was signed, England was looked up to as the polar-star by which the destinies of Europe ought to be guided. But where, in those papers, could any trace of her former greatness be discovered? He would go more fully into this subject hereafter. He was sorry to trouble their Lordships so much at length on it at present; but he thought the House ought to be put in possession of every species of information relative to these transactions. The noble Earl at first came down to that House and declared that he was ready to give every information that might be called for. Now, he required information on three particular points: and the noble Earl, he supposed, would say "No." With respect to another point, he meant the letter of January 31, to Prince Leopold, the noble Earl could not now alter or amend the expression he used. It was on record. He had a right to know explicitly, as a positive allusion was made in the protocol of the 12th of July, to certain assurances given by Austria and Prussia—he had, he contended, a right to know what those assurances were, or else a good and substantial reason for not explaining them. If the noble Earl wished his case to be investigated, let him not be a niggard of his information,—let him not give the country reason to think that there was something behind which he was ashamed or afraid to lay before the House. Let him lay extracts of those papers on the Table; let him show that Austria went with us in this business, and approved of the arrangement. If the noble Earl could prove that, he should begin to feel a doubt whether many of the opinions which he entertained on the whole of these transactions were so well founded as he had supposed. He had now, he thought, sufficiently explained himself to show that he was justified in calling on the noble Earl for the additional information which he had alluded to. His Lordship then moved for the production of "Copies of all correspondence relative to the assurance given by Austria and Prussia to aid in carrying into effect the proposition of the Allied Courts, as mentioned in the Protocol of the 12th of July, 1827; and also Copies of the correspondence between the Courts of Berlin and Vienna and the Allied Courts, as to the settlement of the boundaries of Greece."

The Earl of *Aberdeen* said, he would, in the first place, advise the noble Marquis—and he did so without meaning the slightest offence—to take the trouble of looking a little more carefully at the papers already produced, before he applied for others, in order that he might see whether the very documents for which he now called had not been laid on the Table. The noble Lord observed, that it appeared from the protocol of the 12th of July, 1827, that Austria and Prussia had given assurances of their support to the proposition of the three Allied Powers, and he called for proof of those assurances having been made. Now in answer to that he would say, that the first thing for the noble Marquis to do was to look at the execution of the instruction so given in that protocol by the ambassadors of the Allied Powers, and he would there find all the information he could possibly desire. The ambassadors at Constantinople, on receiving that instruction, applied, as directed, to the Austrian and Prussian ministers for their assistance. The Prussian minister not only, without hesitation, acquiesced in the demand, but advised the Porte, in an instruction drawn up in the strongest possible manner, to comply with the proposition of the Allied Powers. In the instruction to which he alluded there occurred the following passage:—"His Excellency the Reis Effendi is aware that Prussia is not a signing party to the treaty concluded at London on the 6th of July. This circumstance should afford him a fresh pledge of the impartiality and disinterestedness of the advice, which, in pursuance of the express orders of the King our master, I make it my duty to offer to him on this momentous occasion. Prussia has not varied, nor will she vary, in her feelings towards the Divan; but her wishes are the same as those of her allies: she desires, without reservation, the end proposed by France, Great Britain, and Russia, in their endeavours to procure peace to the Ottoman empire, both at home and abroad." That he thought, was sufficient for the Prussian minister. The Austrian minister did not acquiesce immediately. He wished for an instruction from his court. What followed? At a subsequent conference, "the representatives took into consideration the communication which the Austrian Internuncio had made to each of them, to inform them that his court had blamed him for not supporting at the Porte their joint declaration of the 16th of August last. The instruction given by the internuncio to his first interpreter was then read." Now certainly, when their Lordships had looked at that instruction, they could want nothing more to convince them that Austria had given to the three Powers very strong assurances of support.

The Marquis of *Londonderry*: What is the date?

The Earl of *Aberdeen*.—The 12th of October, 1827. The assurances mentioned in the instruction given to the allied ambassadors in the protocol of the 12th of July, 1827, were acted on by the Prussian minister on the 17th of August at Constantinople, and by the Austrian minister as soon as he had received directions from his court. These two Powers therefore, it was clear, did all that they could do, to support the proposition of the Allies. A little attention on the part of the noble Marquis would have shown him what the real state of the transaction was. Certainly, before the noble Marquis complained of a breach of the pledge which he (the Earl of Aberdeen) had given, as to the production of all the information that could be fairly demanded on this subject, it was very desirable that the noble Marquis should first ascertain whether the documents he called for were not already in his possession. The noble Marquis had introduced some observations on the letter which he (Lord Aberdeen) had written to Prince Leopold, and which was to be found amongst the papers. The noble Marquis had commenced those observations by assuming that he (the Earl of Aberdeen) could not defend himself. Now he could make no such admission to the noble Marquis. On the contrary, he maintained that communications had passed between him and Prince Leopold, which justified and called for the observations contained in that letter. He did not intend at that time to go into the subject which had been incidentally introduced by the noble Marquis. He however desired an opportunity of doing so. If the noble Marquis wished to discuss the merits of the whole transaction, or of any part of it, he was ready and willing to do so whenever the noble Marquis should think proper to submit a motion for that purpose. He would now take the opportunity of mentioning, with respect to this correspondence, that their Lordships would see that the last paper contained in it was a memorial from the Greek Senate to his Royal Highness Prince Leopold. That memorial was communicated to him (the Earl of Aberdeen) after his Royal Highness's renunciation of the Sovereignty; and it purported on the face of it to be an enclosure, with other papers, in the same communication from the Greek government. At the time the papers were laid upon the Table, he could do no more than present the memorial, as it was communicated to him by Prince Leopold. Since that time, however, in the course of the present week, his Royal Highness had sent him a letter of Count Capo d'Istrias, of which the memorial formed one of the enclosures, together with other enclosures, contained in the letter. These documents were of material importance, as their Lordships would imagine when they heard that one of them was neither more nor less than a letter addressed by the Senate to Count Capo d'Istrias, in which they unanimously approved of the answer given to the residents of the three Powers. This document set at rest any doubt which might have been entertained with respect to the adhesion of the Greek government. He proposed to take the liberty of printing these papers, together with the letter of his Royal Highness addressed to Count Capo d'Istrias, to which frequent reference was made, and which his Royal Highness had also been pleased recently to give to him, as he supposed for the purpose of being added to the documents before the House. He would just say one word with respect to a subject to which the noble Marquis had alluded,—namely, his own conduct in the prosecution of the negotiations, although he really thought the present was not quite the right time for introducing so extensive a question. He begged to state, however, that he had not himself taken up the position in which he acted as the representative of one of the three great Powers, but he found himself placed in it when he was appointed to the office which he now held. If the noble Marquis supposed that in the course of these negotiations any desire had been shown to conciliate one great Power or another, he was quite mistaken. His only object had been, finding engagements made, to carry them into effect, honestly, consistently, and as much as possible to the advantage of this country. Those were the principles on which the whole proceedings had been conducted. The noble Marquis had taken it for granted that he (the Earl of Aberdeen) must entertain feelings of respect towards the high individual who had been alluded to. So far the noble Marquis was right, but he must protest against receiving the noble Marquis as the interpreter of the sentiments of that individual.

The Duke of *Wellington* rose to answer the question which the noble marquis had thought proper to put to him. One of those questions referred to a paragraph in a letter from his Royal Highness, in which he spoke of some secret influence having had an effect upon the Government with respect to Candia. The noble Marquis desired to know what that influence was. He begged to refer the noble Marquis to Prince Leopold. He himself could give no answer to the question. The noble marquis had further asked whether he (the Duke of Wellington) believed a statement contained in a letter from Prince Leopold? He was certain that the noble Marquis would upon reflection consider that this was not a very proper question to put to him, and he therefore declined to answer it.

Lord *Durham* was glad that the noble Earl had announced his intention of adding to the papers already before the House some information which their Lordships would do well to deliberate upon before they came to the consideration of the affairs of Greece. He would venture to say, that these fresh documents would corroborate the statement made by Prince Leopold, as to the extreme discontent which existed in Greece with respect to the present arrangement. He denied, however, that the papers contained any fresh fact with respect to the opinion of the Senate. It was known that the Senate had approved of the answer to the residents, but always coupled it with the observations which Count Capo d'Istrias felt it his duty to lay before his Royal Highness, which their Lordships were aware stated distinctly, that it would be absolutely impossible to carry the arrangement into effect without running the risk of producing a rebellion. The noble Earl certainly had not misunderstood the intentions of his Royal Highness in forwarding the papers to him. His Royal Highness had, he had no doubt, done so with the view of affording Parliament and the country every explanation in his power respecting his conduct. The more the conduct of his Royal Highness should be examined, the more the country would be satisfied that the language he had adopted, and the resolution he had come to, were conducive, not only to his own honour, but also to the real and essential interests of the country. He would not, at that time, enter into a discussion as to the political results which the arrangements might have upon the general interests of Europe. He did not think the noble Earl had any right to blame the noble Marquis for asking for further information. He had almost invited him to do so by stating that he would give any information which might be thought desirable. The noble Earl had no right to sneer at the noble Marquis, by telling him that he was not capable of understanding what he read. [*Cries of* "*No.*"] That was the impression left upon his mind from that part of the noble Earl's speech in which he had advised the noble Marquis to read attentively the papers upon the Table before he asked for others. He was sure the noble Marquis was as capable of reading and understanding the papers as the noble Earl. Unless it could be shown that the production of the papers would be detrimental to the public service, he thought the noble Earl was bound to produce them.

The Marquis of *Londonderry* said, that without arrogating much to himself, he might be permitted to observe a little upon what had fallen from the noble Earl, but he hoped he should do so with more courtesy than the noble Earl showed to others. The passages which the noble Earl had read were merely extracts from communications from diplomatic servants. Their Lordships knew what diplomacy was. He wanted the despatches of his majesty's ambassadors at the different courts, in order to see whether their contents corresponded with the flummery contained in the papers before the House. The communications from the foreign Ministers were mere bombast. He wanted to see the staid, sober, and well-judged opinions of his Majesty's ambassadors. The papers before the House contained only absurd phrases. They were what might be called the apocalypse of the proceedings. He was surprised at the laconic and dignified manner in which the noble Duke had answered his questions. The noble Duke had told him to ask Prince Leopold about the hidden influence: Prince Leopold was not in the House, and therefore he had asked the noble Duke, because he supposed he knew what was meant by it. He thought there was no harm in doing so. With respect to the other point, Prince Leopold had gone officially to the Duke, as one of the King's Ministers, and put a paper in his hand, stating so and so with respect to his not having had any advisers. The question which he had put upon that point did not deserve to be replied to in the sharp manner which the noble Duke had adopted. He was aware of the noble Duke's efforts to uphold and direct the noble Earl. He believed the noble Earl would have given him the papers he asked for if he had not been stopped by the noble Duke.

Viscount *Goderich* had felt it his duty hitherto to abstain from making any remarks on this question, and should not in substance depart from that rule on the present occasion. He must, however, say a few words upon the present discussion. For the full elucidation of some part of this subject, the House must have papers containing the diplomatic transactions of three or four years—papers so voluminous that he feared their Lordships would never be inclined to wade through them. If any blame were to be insinuated against those who had been the originators of these diplomatic relations, he, for his part, should be most ready that all the papers connected with the transactions in which he had a share should be produced. A doubt had appeared to be thrown on the accuracy of the protocol of the 12th of July, and in his opinion the papers asked for ought to be produced, in order to elucidate that doubt, if it could be done without great inconvenience to the public service.

The Earl of *Aberdeen* said, that it was perfectly true that the noble Marquis had thown doubts upon the accuracy of the representations made by the Ministers of the three powers in London in the protocol of the 12th of July. If there had been any thing on the part of Prussia or Austria to justify the doubts expressed by the noble Marquis, that would constitute a legitimate ground for calling for information. But nothing of the kind existed.

The noble Marquis said there was no proof that the assurances mentioned in the protocol were sincere. He had furnished the noble Marquis with proof of that fact, because the instructions closed with desiring the Prussian and Austrian Ministers at Constantinople to co-operate with those of the three Allies, and they did so co-operate. As it was, he could not see a shadow of reason for the Motion.

Lord *Holland* was not disposed to question the accuracy of the protocol; but some doubt had been thrown upon the sincerity of those assurances, and he understood the noble Marquis's object to be, to obtain from the correspondence of his Majesty's ambassadors at Constantinople evidence by which a judgment might be formed as to what those assurances actually were, and whether they had been acted up to or not. The noble Earl had stated that the Prussian Minister at once concurred in the recommendation of the Allies, and acted up to the assurances which had been given; but it seemed that the Austrian internuncio required a certain time to make up his mind, and that he sent home for instructions. He would put a possible case, because it did not become a Member of that House to know any thing of these transactions except from the papers upon the Table. He would, however, suppose that Austria had beenall through anxious to thwart the proceedings after refusing to become a party to the treaty of the 6th of July, and had given those assurances with no intention of acting up to them. He was not saying anything very uncivil or uncourteous of the Austrian government, for every arbitrary and absolute government which ever existed, would make very little scruple of giving official assurances that it was assisting the objects of any treaty; but the question was, whether the communications from his Majesty's Ambassadors contained evidence to show that those assurances, in the present instance, were sincere, and that the two powers were *bonâ fide* acting in support of the treaty of the 6th July. He understood that to be the question which the noble Marquis raised. He was not saying that it was a proper question to raise, but it certainly had not received any answer.

The Duke of *Wellington* said, that the noble Baron who spoke last, and the noble Marquis who commenced the debate, appeared to have entirely different objects in view. The noble Marquis said, his object was, to show that Government had never had any ground for stating that Austria had given the assurances mentioned in the protocol; and he desired to know what was the opinion of Austria and Prussia at this moment. The noble Baron, however, put a hypothetical case, and wished to arrive at the real opinion of Austria and Prussia. The noble Marquis said, that the protocol was so doubtfully worded as to show that the persons who drew it up had reason to believe that the two governments were not sincere in their assurance. If that were the case, the noble Baron ought to be satisfied. If the noble Baron meant to bring a charge against the Austrian government for deceiving Ministers, or against Ministers for being deceived, that might be a ground for asking for the papers. The noble Marquis asked for the production of the papers on the ground that Ministers intended to deceive Parliament with respect to the assurances given by Austria and Prussia; but his noble friend at the head of the Foreign Department had produced papers which proved that the assurances which had been given were acted upon. The noble Marquis had completely failed in establishing a ground for the production of the papers, because it had been proved by the papers already on the Table, that the conduct both of Austria and Prussia was in strict conformity with the statement made in the protocol. Then the noble Baron said, that although the assurances were given, the two governments might not have been sincere; but their conduct proved that they were sincere. Taking the arguments of both the noble Lords, he was bound to declare that no ground whatever had been established for the production of the papers.

Lord *Holland* observed, that the noble Duke had been pleased to say that his (Lord Holland's) object and that of the noble Marquis were perfectly distinct. There was, however, one object which they had in common, and that was to ascertain a fact. The noble Duke showed much talent in debate, by knocking the heads of the arguments of one of his opponents against those of another. That was the manner in which he had treated him and the noble Marquis. He might be allowed to follow the example set by the noble Duke, and knock his head against the heads of those who sat near him. The noble Duke said that no parliamentary ground had been established for the production of the papers. But the noble Earl stated, that he wanted no parliamentary ground, but that he was willing to give the noble Marquis papers to his heart's content. It would seem that the noble Marquis's heart was not easily contented, and he had an appetite for more. There was an end, therefore, of the parliamentary ground. If, however, a parliamentary ground were required, it might be found in the equivocal expression of the protocol, which entitled the House to call for information to show whether the assurances given by Austria and Prussia had been acted on.

The Marquis of *Londonderry* said, he would state, in the face of the House and of the 'country, that Austria did not approve of these transactions. He had good reason for making that statement. If the statement were not correct, he called upon the noble Earl to contradict him. He called upon the noble Earl to declare honestly and fairly, whether Austria approved of these arrangements.

The Earl of *Winchilsea* said, that if the noble Marquis intended to divide the House on the Motion, he would undoubtedly give him his hearty support. After the declaration made by the noble Earl, that it was the intention of Government to give every paper connected with the subject, which might be asked for, he thought he was bound to accede to the Motion.

The Earl of *Aberdeen* said, that as he heard that night, and might hear again, of his declaration that he would give the noble Marquis papers to his heart's content, he thought it advisable to state the fact as it really occurred. He had always declared, and was ready again to declare, his willingness to give every information which could with propriety be required with respect to the whole of the negotiations, and he did not think that his conduct justified any doubt on the subject. The answer about the "heart's content," which had been alluded to, was given to a question proposed by the noble Marquis respecting the correspondence with Prince Leopold. He stated that he would produce papers on that subject to the noble Marquis's heart's content. He did not wish to keep back a single syllable on that point. He was desirous, whatever inconvenience it might occasion, that every thing upon this subject should be printed to the very letter. Upon the other point, with respect to the negotiations in general, he would produce any information which might be required, subject to the restrictions which his sense of duty compelled him to impose.

The Duke of *Richmond* begged to say a few words in justification of the vote which he intended to give upon the present occasion. He did not mean to state whether he thought that England should never have interfered in the affairs of Greece. He would not state whether he had considered it possible that we might negociate for two or three years, and at the end of that time find ourselves in no better situation than we were in before. He would not declare whether he had not entertained doubts, that in the mean time Russia might make great strides towards aggrandizing her power. He would not discuss those subjects, but would say a few words with respect to the question before the House. He thought that the doubts which the noble Marquis had thrown upon the subject, by the discussion which he had originated that evening, rendered it imperative upon the noble Earl to grant the papers. For his own part, after the speech of the noble Marquis, he felt a doubt upon the point which he had never entertained before. The noble Earl had not stated any parliamentary ground for the refusal of the papers, and therefore he would vote for the Motion.

The Marquis of *Salisbury* took a different view of the question from that adopted by the noble Duke who had just addressed the House. The papers before the House furnished a complete history of the whole transaction. The papers called for by the noble Marquis were antecedent in date to any now upon the Table. He thought it would be impolitic to open a new field of inquiry, and therefore he would oppose the Motion.

The Marquis of *Clanricarde* said, that the noble Marquis's object was to show, that Austria was unfavourable to the arrangement which had been made respecting Greece, and in furtherance of that object he was entitled to have the papers which he had moved for.

Lord *Calthorpe* asked the noble Earl at the head of the Foreign Department, whether he would state that the production of the papers would be injurious and inconvenient to the public service?

The Earl of *Aberdeen* said, he would most explicitly declare that the production of the papers would be exceedingly injurious to the public interest.

The question was then put on the first Motion, and the Lord Chancellor declared that the not-contents had it.

The Marquis of Londonderry said, the contents had it; whereupon the Lord Chancellor directed a division to take place, and the House was accordingly cleared of strangers. Whilst strangers were excluded a scene of some interest is said to have occurred in the House. Several noble Lords who had intended to vote for the Motion, declared that, in consequence of the Earl of Aberdeen's last declaration that the production of the papers would be detrimental to the public interest, they must withdraw their support from the Marquis of Londonderry. Ministers pressed for a division which would in all likelihood have found the noble Marquis with not above half a dozen supporters. The Duke of Richmond, it was said, indignantly protested against this proceeding. He urged that if the declaration of the Earl of Aberdeen had been made at an earlier period, the Motion would not have been pressed to a division—that if a division should take place, the result would be to give the Ministers the appearance of a triumph, and to inflict upon the Marquis of Londonderry the disgrace of a defeat upon entirely false grounds. The noble Duke's observations were loudly cheered by the opposition. Other noble Lords took part in the discussion, and at length Ministers intimated that they would not press for a division, which must have taken place if they had insisted upon it. Strangers were then re-admitted.

The question was put on the second Motion.

Lord *Durham* said, that however disagreeable it might be upon some occasions, he was determined to discharge his duty as a Peer, by stating his opinions openly, and no cry of "Question" should prevent him from doing so. The opposition of the noble Earl to the second Motion came at the proper period. He had commenced the discussion on this Motion by stating, that the production of the papers would be detrimental to the public service. In the discussion the noble Earl had deferred making that declaration to the latest period, and then it was only made in answer to a question proposed by a noble Lord. The impression made upon his mind, and upon that of the noble Duke (Richmond,) his friend, by the declaration of the noble Earl, that the production of the papers would be detrimental to the public service, was, that they could not vote for the Motion. The noble Earl, in the first instance, made no intimation to that effect. The ground upon which he originally opposed the Motion was, that there was already sufficient information before the House, and that it was owing to the noble Marquis's want of penetration that he did not perceive it. The scene which had occurred was little befitting the dignity of the House. He had never witnessed such conduct in any House of Parliament in his life. It formed a great contrast with the grave and quiet deliberation which generally characterized the proceedings of the House. The noble Earl might now triumph over his noble friend, but he would declare that Ministers had acted in a manner little befitting the honour and dignity of Government. If there had been anything factious in the proceedings of that evening, it did not proceed from him.

The Earl of *Aberdeen* denied having been guilty of the conduct which the noble Lord had imputed to him. He looked for no triumph, and he conceived that no triumph whatever had been gained. He considered that the Motion had met with a proper termination. He admitted that originally he had stated the production of the papers to be unnecessary; because the documents upon the Table supplied sufficient evidence of the fact to which the noble Marquis had directed the attention of the House. But the interpretation afterwards put upon the statement in the protocol by the noble Baron (Holland) rendered necessary the declaration which he made towards the close of the discussion.

The Marquis of *Londonderry* said, that whether the noble Earl looked for a triumph or not, he had not got one. If, at the beginning of the discussion, the noble Earl had stated the few words which he delivered at its close, he hoped the noble Earl, with all his feelings of political hostility to him, would do him the justice to believe that he would not have pressed for a division. No feelings of hostility to an individual minister, or to any particular measure, should ever lead him to ask for papers, of which the production would embarrass the Government.

The Motion negatived.

HOUSE OF COMMONS.

Friday, June 11.

MINUTES.] Returns ordered. On the Motion of Mr. JEPHSON, the number of Stamps issued to Newspapers of the Empire not published in the Metropolis:—On the Motion of Mr. PROTHEROE, detail of all Persons employed under the Commissioners of Public Records:—On the Motion of Mr. HUME, the Stamp Duties collected on Almanacks and Pamphlets during the last twenty years.

On the Motion of the CHANCELLOR of the EXCHEQUER, a Committee was appointed to inquire into the Expense of completing the Improvements and Alterations in Windsor Castle.

Petitions presented. By Lord STANLEY, from the Calico Printers, Manchester, against the Half-pay Apprentices Bill. Against the Chancery Registrar Bill, by Mr. R. GRANT, from H. E. Bicknell. Against a Clause in the Insolvent Debtors Act, by Mr. O'CONNELL, from Debtors in the Marshalsea, Dublin. For the Repeal of the Malt Tax, by Lord MANDEVILLE, from the Freeholders of the County of Huntingdon. Against the Forest of Dean Bill, by Mr. C. PALLMER, from James Warren. For the Abolition of the East India Company's Monopoly, by Sir M. S. STEWART, from the Inhabitants of Anderston, and from the Chamber of Commerce, Greenock. For the Abolition of the Punishment of Death for Forgery, by Mr. W. SMITH, from the Protestant Dissenters of the three Denominations residing within twelve miles of London. By the same hon. Member, from the same parties, for the Abolition of Colonial Slavery. Against the Parish Vestries Act, by Mr. MARSHALL, from the Rate-payers of Leeds. By the same hon. Member, from the same parties, against the Paupers Removal Bill. Against the Court of Session (Scotland) Bill, by Sir G. CLERK, from the Freeholders of Mid-Lothian. Against the Duties on Coals carried Coastwise, by Mr. PROTHEROE, from the Occupiers of Collieries in the Forest of Dean. Against Stamp and Spirit Duties (Ireland), by Mr. S. RICE, from the Freeholders of Kilkenny; from the Chamber of Commerce, Limerick; from the Parish of St. Mary, Limerick; and from James Fitzgerald:—By Mr. O'CONNELL, from Clonlea, Killurane, and Kildysart; and from the Merchants of Tipperary:—By Lord CLEMENTS, from Mohill (Leitrim). For the Abolition of Tithes, by Mr. O'CONNELL, from Sleiverne. Against the proposed Duty on Rum, from the Merchants of Glasgow.

FREEDOM OF THE PRESS.] Mr. Hume presented a Petition from Mr. Green, of Whitechapel Road, expressing his satisfaction at that clause in a bill before the House, for the repeal of the punishment of banishment for the second offence of libel, and praying that that clause which required security of 100*l.* on future newspapers might not pass. The hon. Member, in presenting this petition, expressed his regret at seeing such a clause introduced, and hoped the House might be able to induce Ministers to abandon it. The hon. Member went on to say, that a Return had been laid before the House a few days ago, of the prosecutions for violations of that clause in the Stamp Act, which related to pamphlets, from which it appeared that 161 persons had been prosecuted under that Act in the year 1829, and forty-eight to May, in the present year. Such prosecutions were, he conceived, unjust and oppressive, and he therefore moved for an account of all the expense attending them. Ordered.

CONVICTS.] Mr. Hume moved for a Return of the expenses connected with the support of Convicts at the Penitentiary at Milbank, from the year 1820 to 1829, distinguishing the number of convicts kept there in each year, the cost of each, and the value of their labour; also Returns of similar expenses incurred in the Hulks and at Bermuda; also an account of the number of convicts sent out to New South Wales in 1828 and 1829, the tonnage of the vessels, cost of freight, and other expenses; also similar Returns respecting convicts sent to Van Dieman's Land and Bermuda.

Sir *M. W. Ridley* said, he concurred in the Motion, and in thinking that the expense to which the public was put in the infliction of this punishment, was not repaid by any public advantage. He did not, however, rise to enter into that subject, but to call the attention of the right hon. Secretary opposite to a statement which had been made to him (Sir M. W. Ridley) a few days back, respecting the treatment of some convicts on their arrival at New South Wales. He was informed that in a week after their arrival out at the colony, some of them appeared abroad without any restraint; that they lived in a style of affluence which they could not support here. He alluded to convicts who had been sent out for forgery,—many of whom were living in a style of splendor. Some of them kept their carriages and horses, and in other respects were in the enjoyment of much affluence. He understood that some steps had been taken to correct this evil; but still he felt it his duty to call the attention of the right hon. Gentleman to it.

Sir *R. Peel* said, the circumstances to which the hon. Baronet alluded, were amongst the reasons which induced him, on a former evening, to object to transportation as an efficient punishment for forgery. In fact, it was almost impossible that a man who had moved in a respectable rank in life, and who had the command of money, could be made to labour under another who was very much below him in station. He regretted that any thing such as this should occur, yet it was difficult, in a colony which had now nearly lost its character of a penal colony, to prevent the influence which education and rank would naturally acquire. No doubt, however, a limit should be set to indulgence to convicts. With the particular circumstances to which the hon. Baronet alluded, he was not acquainted. Indeed, as the hon. Baronet must be aware, the colony did not come within his department; but no doubt, if they were such as the hon. Baronet had described them, a check ought to be put to them, and he was sure his right hon. friend, the Secretary for the Colonies, would give the subject all due attention.

Sir *M. W. Ridley* did not mention the case with a view to cast any blame on the Government here, or in the colony, but to call attention to it.

Mr. *Hume* said, if the right hon. Gentleman would grant him a committee on Monday to investigate our convict system, he should be able to show its futility as a punishment. The case to which the right hon. Gentleman adverted could not happen if the property of persons sentenced to transportation for forgery were confiscated.

Motion agreed to.

Mr. Hume next moved for a variety of Returns connected with the situation of convicts in New South Wales and Van Dieman's Land, the numbers employed by Government, and numbers given out to masters, from 1826 to 1829. Also, for the number of *ex-officio* informations filed by the Attorney General of New South Wales, from the year 1825. Also a Return of the number of suspensions from office in the colony, by order of the Governor; for this, he said, he would not press, if any objection were made. Also, Returns, stating the number of persons receiving pensions or retired allowances, who had held situations in the colony.

Sir *G. Murray* said, he was willing to give the hon. Member every information in his power, as to those points, for the years 1827 and 1828; but the accounts of 1829 had not reached this country yet. To the Return of the number of suspensions by the governor he should object.

Motion, as altered by the wish of Sir G. Murray, agreed to.

SUPPLY.—CONSULAR ESTABLISHMENTS.] On the Motion of the Chancellor of the Exchequer, the House went into a Committee of Supply.

Mr. Dawson moved that a sum not exceeding 5,000*l.* be granted to his Majesty for the expense of Public Works in Ireland for theyear 1830.—Agreed to.

The hon. Member next proceeded to move that "a sum not exceeding 87,970*l.* be granted to defray the Salaries of the Consuls General, the Contingent Expenses, and the Superannuation Allowances." In reference to this vote, he said, he should find it necessary at present to give a brief explanation. The House would find that there had been a reduction made in the consular department since last year, to the amount of 3,820*l.* This reduction was attributable to three causes,—partly to the cessation of the consular establishment at Palermo, partly to the decrease of the Vice-consuls in Europe, and partly to the extinction of the superannuation allowance of Mr. Barker. From these three causes, as he had already stated, there was so far a saving to the amount mentioned upon the Estimates now in the hands of the hon. Baronet opposite. It might be remembered that the system of paying Consuls by salaries instead of fees, according to the practice before 1825, had been adopted on the strong recommendation of the hon. member for Aberdeen and the member for Liverpool. In reference to the Act of 6th Geo. 4th, the former hon. Gentleman had most vehemently reprobated the practice of payment by fees, and even stated that no sum from the public funds was too great for the remuneration of the Consuls, provided their functions were competently discharged. With respect to the material reduction of the salaries of Consuls, he submitted that his noble friend at the head of the department, had done all in his power to effect such retrenchment as was consistent with the efficient performance of the duty which the interests of the public demanded. The following reductions were already in progress:—the Consuls salaries were to be reduced, at Rio Janeiro from 2,500*l.* per annum to 1,500*l.*; at Pernambuco from 1,200*l.* a-year to 1,000*l.*; at Madeira, from 800*l.* to 600*l.*; at Ostend, from 600*l.* a-year to 400*l.*; at Bogota, from 2,000*l.* to 800*l.*; at the Havannah, from 500*l.* to 300*l.*; at Lima, from 2,500*l.* to 1,600*l.*; and the consular establishment at Palermo was to be abolished altogether. Thus the total reduction would amount to 12,400*l.* a-year, being at the rate of 40*l.* per cent on the salaries. He trusted that these changes would prove satisfactory to the House, and that the hon. Baronet would henceforward spare his sarcasms on the present Ministers with respect to the expenditure since 1825, with much of which they had no concern whatever. He had found fault with the expenditure of that period, as if his noble friend, at present at the head of the Foreign Department, or the present Chancellor of the Exchequer had been to blame; whereas they were totally free from blame, for over most of that expenditure they had no control or superintendence whatever. Whatever extravagance, therefore, the Government of the day might be alleged to have committed, those who were now in office stood absolved from its participation. He should not enter into further details, proposing to defer doing so until the hon. Baronet had more particularly specified his objections. It was his wish, however, to remove an erroneous impression which had been entertained in consequence of a mistake on the face of the Returns relative to the absence of two of the Consuls from their respective stations, who were each represented to have been a year longer absent than they had actually been. He alluded to Mr. Nugent and Mr. Schenley, who were said to be absent, the one two and the other three years, from 1825 to 1828. In the Returns a mistake had been made and their absence antedated one year. This fact, he hoped would be borne in mind by the hon. Baronet. Before he sat down he might also mention, that a regulation had been adopted by the noble Lord who presided over the Foreign Department, prohibiting Consuls who were absent in future from receiving more than a moiety of their allowance; the other half after defraying the expense of the duties, to be placed to the credit of Government. The allowance for house-rent was also not to begin, in future, till the individual arrived at his post, and should likewise henceforward be placed upon a different footing.

Sir *James Graham* said, he congratulated the House and the country on the after-thought of his Majesty's Ministers respecting the Estimates which had just been explained by his hon. friend; at the same time, it added very considerably to the trouble he had imposed on himself, as his hon. friend must be aware. The whole of the calculations on which he proposed to make reductions had been formed from the Estimates, on reference to which he had judged these reductions to be necessary; but his hon. friend now said, not out of deference, of course, to the sarcasms which displeased him so much, or out of deference to the votes of that House passed since these Estimates were framed, but from its own love of economy, that the Government had made large reductions in these Estimates. In some of the particulars mistakes had been made, and Consuls who were absent had been described as away from their posts two years instead of one. Some of the greatest apparent abuses were now, therefore, found out to be merely errors of print, and were to be censured in the compositors not in the Ministers. These things were all found out at the eleventh hour, and he had made all his calculations on the Returns supposing them to be correct, and supposing that the Government to call for votes on the Estimates as they had been laid on the Table. He had made his calculations on this supposition, and the reductions he proposed to make were founded on it. After making all these allowances, however, he should still be called on to oppose the vote, which he thought was most exorbitant. The House would recollect that the right hon. Gentleman and his hon. friend had both stated that the practice of paying the Consuls by fixed salaries, instead of fees, had arisen from a recommendation which came from the Opposition side of the House. His hon. friend, the member for Aberdeen, was described to have said that he was satisfied that the Government could not fix the salaries of the Consuls too high, provided only the trade was completely free from the payment of fees. This was so much opposed to his hon. friend, the member for Aberdeen's usual sentiments, that there was *prima facie* reason to believe that the statement was an error. But if, by any probability, these words had been used by his hon. friend, meaning that the charges for fees were so enormous that almost any thing would be better than them; if the hon. Member had used these words, they had completely anticipated the conduct pursued by his Majesty's Government. He was himself not of opinion that the public would, in all cases, be better served by substituting salaries for fees. The House would recollect, too, that Mr. Canning thought we ought not to pay the Consuls by fixed salaries instead of fees. He stated that he objected to the measure, but that he had carried it into execution out of deference to the authority of the House, and against his better judgment. With respect to the doubts expressed by Mr. Canning, he thought, it was due to that right hon. Gentleman to state what was his opinion, and to show that he was the unwilling author of the measure, in obedience to the sense of the House. The hon. Gentleman stated, that "when he (Mr. Canning) came last into Office, he found that the opinion of the House had been taken upon the subject of the system to be pursued in relation to our ministers abroad. Whether the opinion had been expressed in a formal vote, or given in a way which only conveyed the sense of the House, he was not quite sure, but he found that he had no discretion to exercise, for it had been determined, that the whole system relative to our Consuls should be done away, and that they should be put on a totally different footing. The new principle was, that the fees should be totally abolished, and that salaries should be substituted, to the extent of affording a remuneration for the loss. He begged leave to state, that his own individual opinion did not concur in this agreement; but he found the point already settled, and his business was only to carry it into execution. Had the point been left to his judgment, or could his opinions have had any influence upon the question, he should have expressed an opinion, that there were many cases in which it would be better to remunerate by fees than by salary. But Government had only to follow a prescribed principle, namely, that all private charges were abolished, and remunerative salaries were to be granted in their stead. The hon. Gentleman's system was, that this should be taken from the trade, from the private merchants, and put upon the country. He (Mr. Canning) was not called upon to approve of this system, nor to say that the details of trade could not bear the burthens in detail which grew out of it. The system adopted was no decision of his." He stated that much out of justice to the memory of that right hon. Gentleman, and to show that he foresaw the great expenditure which the experiment of substituting salaries for fees would entail on the country. He himself was one of those who thought that the substitution of fixed salaries for fees was carried too far. He entertained doubts even if the Customs' Officers might not be paid by fees, and if the public had been benefitted by getting rid of fees paid by persons engaged in trade, and substituting for them fixed salaries paid by the country at large. There was a difference, indeed, between the Customs and other departments of the public service. The officers of the Customs were employed in collecting a revenue for the public; and, being so employed, they might with propriety be paid by salaries given by the public. But the Consuls were quite different. They did not perform any public services, but services that were beneficial to the great body of the merchants trading to the spots where they resided. They executed little or nothing for the convenience of the public. There was nothing improper in the merchants, to whom their labours were beneficial, paying them by fees for their services. Consuls might then be paid by fees, and not by a fixed salary. He did not know, indeed, any better way, or how it was otherwise possible to induce public officers to do their duty well, than to give them an interest in so performing it. The payment of fees obviously gave the Consuls an interest in residing at the spot; but if they were paid by salaries, they had no motive for residing, and, like our Consuls, were very frequently absent from their stations. That was the case with our Consuls up to the new regulation by the Earl of Aberdeen, who, only giving them half their salary when they were absent, they had now an interest to remain at their stations. These were the effects of the system, and the opinions he had stated were not founded on theory. He would call the attention of the House to the case of several of our Consuls, as stated in the returns. But the House would make allowance for what his hon. friend described as errors which had inadvertently crept in, and which might make him commit some blunder. He would begin with the case of Mr. Ricketts, the Consul to Peru. He went to his post in 1825, and passed that year in preparations, and in his voyage out, and he received for outfit and salary that year, the sum of 3,855*l.* In 1826, being at his post, he received for salary, 2,500*l.*; for house rent, 510*l.*; for a clerk, 250*l.*; for extras, 503*l.*; making, in the year 1826, the sum of 3,763*l.* In 1827, he was on his voyage home, having left his post early in April, and that year he received 2,812*l.* His hon. friend was very testy about any charges being adverted to previously to the year 1828; but his hon. friend should recollect that most of the Members now on the Treasury Benches were before the year 1828, and, if he did not mistake, in the year 1825, amongst his Majesty's Ministers. Though they might disclaim the expenses of that period, they all formed a part of the Administration, as well as Mr. Canning. But passing from the year previous to 1828, he came to that year, and 1829, and he asked his hon. friend how he could justify the circumstance, that during these two years Mr. Ricketts was in England, and received 1,600*l.* a year. This gentleman, therefore, had been, under Lord Aberdeen's government, allowed to spend two years in England doing nothing, at this large salary; he had passed one year in his voyage out and home, he had been the rest of his time at his post, and for that period, not quite two years, he had received the sum of 13,600*l.* What he charged as the most flagrant part of the case was, the two years he had been in England, at 1,600*l.* a year; and for these two years the present Foreign Minister was wholly responsible. He then came to the case of Mr. Nugent, who was one of those whose services were not accurately stated in the return, and he might possibly make a mistake concerning him. This gentleman went in 1825 to Chili, and received the first year 3,050*l.* In 1826 he was at his post, and received 2,500*l.* In 1827, as early as June, or he believed he must now say, as the return was not correct, in June, 1828, he returned to England, and received his 2,500*l.* His hon. friend described the two years, 1828 and 1829, as years of economy. These two years constituted the golden reign of the Earl of Aberdeen,—they were the economical age, not deserving of those sarcasms which his hon. friend charged him with using, and entreated him to abandon in bringing forward his motion; but without a sarcasm he did charge that noble Earl with extravagance, as regarded Consuls up to the beginning of the present week. His hon. friend had stated, that henceforth the Consuls, when away from their posts, were to have only half their salaries; but that had not yet been the case, as he had already stated with regard to the Consul of Peru, who had received his salary of 1,600*l.* during the two years he had been in England; and it had not been the case with the Consul of Chili, who had received his salary under similar circumstances: one of whom, for two years and a half service, had received, in four years, the sum of 13,600*l.*, and the other had received for one year and a half, 13,050*l.* The next case he would mention was that of Mr. Mackenzie, who in 1826 was appointed Consul to Hayti. He received 500*l.* for his outfit, 1,500*l.* for his salary, 500*l.* for extras, and 215*l.* for his voyage out, making in all 2,715*l.*, though he did not leave London till March; thus, for being a few months at his post in 1826, he received 2,715*l.* But he begged to call the particular attention of the House to the year 1827. Mr. Mackenzie received in that year, his salary, 1,500*l.*; for a journey into the interior of the island he charged 1,290*l.*; his house-rent and extras amounted to 1,070*l.* A commission on his banker's account of 147*l.*, and for his voyage to England 192*l.*, making a total of 4,199*l.* In 1828 he was in England, and in 1828, when England was under the economic administration of Lord Aberdeen, he received his salary of 1,125*l.* He was little more than one year at his post, and for that he received a sum of more than 8,000*l.* He then came to the case of Mr. Schenley, who was one of those whose services were mis-stated in the return. He begged to call the attention of the House to Mr. Schenley in particular. This gentleman had been sent as Vice-consul to Guatemala. In 1825 he received for his outfit 300*l.*, and for his salary 700*l.*; but he did not go, if he understood the return correctly, that year—he went out in 1826. He was at Guatemala that year and in 1827, and received his salary of 700*l.*, but before the end of 1827 he left Guatemala; and in 1828 he came to England on his full salary. In 1829, under Lord Aberdeen's Foreign Administration, when the public expense had been so much reduced, this gentleman was appointed Consul at Hayti, and received 500*l.* for his outfit. Unless the Returns were erroneous, and he almost hoped his hon. friend would correct him as he read, this was in January; and between January 1829, and January 1830, he received 1,200*l.* as his salary. The House would be surprised to learn, according to the return, that he was in England yet; that he had not even attempted to go out to Hayti. He remained in England up to that time, and the reason for which he remained the Members of that House would be well able to appreciate. The reason, on the face of the return, for which he remained in England was urgent private business. This was a species of reason which would be very intelligible to the Members of that House. In 1829, then, this gentleman received 1,700*l.*, and never left England; in all, this gentleman had received 4,859*l.* The pressure of business at Hayti, the

House would imagine, could not be very great; but he found in the year 1829, that there was a charge for two Vice-consuls at Hayti. As the Consul was not present, the House would naturally suppose that the Vice-consuls were there attending to their duty. But he found by the return, that Mr. Fisher, the Vice-consul, was also detained in England on urgent private business. He was in England the whole of 1827, receiving a salary of 550*l.*; and in England the whole of 1828, receiving a salary of 550*l.*; and he was in England the greater part of 1829. The Consul then was in England; the Vice-consul also, Mr. Fisher, was in England; and the second Vice-consul, the one who was on the spot, and did all the business, Mr. Thompson, received 500*l.* a year. He was at a loss to know what to say, to carry conviction to the minds of Members, if this failed. It was necessary, however, to glance a little at the testy anxiety to be economical which was said to be displayed by the Earl of Aberdeen and the rest of the Ministers. The canker of the country, which took away all the available revenue, was the great expense of superannuation. If there were one point more insisted on than another by the Finance Committee — one point more than another on which its recommendations were urgent—it was against the great and alarming increase of superannuations and other charges under the head of Diplomatic Expenses. The committee, in the first place, strongly recommended that no person should receive any superannuation or pension till after he had received his first appointment fifteen years, nor till after he had been ten years in actual service. The committee had strongly recommended a reduction in the diplomatic pensions, and that they should not exceed 40,000*l.* Instead of 40,000*l.*, however, they amounted to upwards of 50,000*l.*, and a great portion of this had arisen from increasing the superannuations of Consuls. He held in his hand a return, which showed that the sum appropriated to superannuation for Consuls, had gone on regularly increasing. The sum allotted to this service was in

1821	£1,190	1825	£1,368
1822	1,190	1826	3,370
1823	1,036	1827	3,370
1824	1,290		

In 1828, the period when Lord Aberdeen began to economise, it was 4,270*l.*; 1829, 4,870*l.*; and in 1830, the year of economy, it was 5,300*l.* Here, then, was a continual increase in that species of expense which was most reprobated by the Finance Committee. This subject brought to his recollection, that a committee of that House had been appointed to inquire into the subject of Superannuation, on the motion of the right hon. Gentleman, and that committee remained involved in mystery. The right hon. Gentleman had done him the honour to place his name on the committee, which was appointed, he believed, nearly six weeks ago, and he had never yet received a summons to attend. The Finance Committee recommended that Ministers should cut off ten per cent from their own salaries, but that had never been attended to. The same committee recommended that the subject of superannuation should undergo revision. The Chancellor of the Exchequer had brought in a bill on the subject, which he said the House was unwilling to pass, but on that he had his own opinion; in 1829 nothing was done; in 1830 a committee had been appointed, at the Minister's suggestion, but it had never been assembled, because the Parliament was drawing to a close; and in 1831 something would, perhaps, be done to regulate the superannuations so urgently recommended by the Finance Committee, and to take off ten per cent from the Ministers' salaries. He wished shortly, in order to make the subject clear, to state to the House a comparison or two, which might not be unimportant. He would first call its attention to the difference of charge for diplomatic and consular expenses in 1792 and the present time. The amount, then, of diplomatic and consular expenses in 1792, including the charge for superannuations and pensions, was 113,927*l.* in 1829 it amounted to 366,000*l.* The charge for Consuls alone, in the estimate for 1830, was 121,820*l.*, being upwards of 8,000*l.* more than the charge for the whole diplomatic expenses in 1792. There was another view he might take of the subject. He would compare the whole amount of the official value of the exports and imports to South America with the charge for our diplomatic relations with that country, showing what per centage that amounted to on the value of our trade. The official value, then, of our exports and imports to Mexico in 1829, was 731,557*l.* The expense of ambassadors was 4,041*l.*, and of Consuls 3,500*l.*; together 7,541*l.* or 1*l.* and 7*d.*

per cent of the whole value of our exports and imports. He chose the official value because it was more simple and easy, though his hon. friend (Mr. Hume) reminded him that the real value was much less, and taking the official value, the expense to Mexico was, as he said, 1*l.* 0*s.* 7*d.* per cent on our whole trade. With respect to Guatemala, the result was even more striking. The value of our exports and imports with that state was 13,811*l.*, the expense of the Consuls was 1,500*l.*, making the expense 10*l.* 17*s.* 2*d.* per cent on the value of our trade. The amount of our exports and imports with all the South American States was 11,470,000*l.*, the expenses of our ambassadors was 27,421*l.*, and of Consuls, 33,100*l.*, making together 60,521*l.* or a charge of one-half per cent on the gross amount of all our trade with the whole Continent of South America. He knew that any allusion to the United States of America was not generally very palatable to the House, and he for one did not like to institute comparisons between that country and this, but he held in his hand (showing a small slip of paper), on that simple piece of paper the account of all the expenses of the civil government of the United States, including its diplomatic expenses, obtained from an authentic source, and with the permission of the House he would read it. The whole charge then for the civil government of the United States was—

	Dollars per year.
For the President, a salary of	25,000
A Vice-president	5,000
Secretary of State	6,000
Secretary of the Treasury	6,000
Secretary of War	6,000
Secretary to the Navy	6,000
Post-master General	6,000
A Chief Justice	5,000
Six Associate Judges	24,000
Attorney General	3,500

Making, in the whole, 92,500 dollars for the entire charge of the civil government of the United States, or, in English money, 20,812*l.* There were, besides, three commissioners of the navy, with 3,500 dollars each, with 5,000 for the Major-general, commanding-in-chief—making the whole charge for the civil and military government of the United States, 24,299*l.* But to come to what was more german to the matter in hand, the United States had three Consuls-general in Europe, and he believed it would not be supposed that the interests of its people were not as well attended to as those of any other nation, and they were all paid by fees. The Consuls-general were at London, Paris, and Madrid. The Consul-general at London had something to do for American seamen and for the public service, and he received a salary of 2,000 dollars a year. The Consuls at Algiers, Tripoli, and Tunis, had diplomatic functions to perform, and they received 4,500 and 2,000 dollars per year; but all the Consuls employed by the United States received from the public purse not more than 3,712*l.* per year. He knew that this was a republic, but some of its regulations might be adopted by us with advantage—limited monarchy as we were—and the American mode of paying the Consuls was of this description. The Consuls of the United States were paid by fees, and each Consul entered into a bond that he would agree to a certain tariff of fees, which was fixed by the Secretary of State, and would not exact any more; and these fees were so moderate that the Consul of Liverpool, the most lucrative of all the consular stations, received only 1,000*l.* a year. Moreover, if any Consul charged more than the proper fee, he was instantly dismissed, so that a proper attention to the interests of the American merchants was obtained by a salary of 1,000*l.* The diplomatic expenses of the United States were on a scale equally moderate. That country had seven Ministers Plenipotentiary in England, France, Russia, &c., at a salary of 9,000 dollars a year, each having a Secretary of Legation at 2,000 dollars salary, and seven Chargé d'Affaires, with proportionate salaries, and the whole of its diplomatic expenses was 108,000 dollars, or 24,412*l.* The whole charge for its civil government, diplomatic and consular expenses was 52,420*l.* not half the cost of our consular establishment alone. The hon. Baronet then observed, that he was not an admirer of a republic, though he quoted its establishments as proper for us to imitate, and he warned the Ministers, that having given up influence, and prerogative having passed away, they had no means of governing the country but by obeying public opinion. He did not impugn the institutions under which he was born, and under which he enjoyed so many blessings. He did not want to shuffle the cards again to get a fresh set. He should always support a limited freedom, bearing in mind, though he was a freeman, that he was but a subject, and though he had rights, yet that they were rights under a monarchy. He had a deep stake in the country, too deep to make him, though he advocated republican economy, the friend of republican institutions. But still, bearing in mind the sentiments of the people, he did feel it his duty earnestly to warn the Ministers against the course they were pursuing: it was full of danger. High prerogative had for many years given way to influence; but the present Ministers affected to despise influence, and to rest upon public opinion alone. He would contend that half measures were always dangerous. If they were serious in putting influence aside, there was no course left them but to act up to public opinion—and public opinion was daily becoming more enlightened, and more powerful. The facts which he had stated were known—the public mind was every day becoming more and more attentive to the proceedings of Government, and with all the advantage of our institutions, the people would not fail to cast up the charge at which we maintained them, and to strike a balance between the benefit and the expense. The Ministers had cut down the influence of the Crown to a certain extent: he would caution them how they neglected public opinion. Having now gone farther than he intended when he first rose to address the House, he would next apply himself to the reductions which he should propose to make. He assumed the Russian Consul-general as a standard, whose salary was 1,000*l.* a year, and he proposed to reduce all Consuls-general to the same sum—allowing, on account of the great expense of living, unwholesome climate, &c. 1,500*l.* a year to the Consuls of South America. He had intended to propose an amendment for a reduction to a greater extent, but after what had been announced by the hon. Gentleman, he should content himself with proposing a reduction of 8,000*l.* on the whole of the Estimates. This would make the vote 79,970*l.*, instead of 87,970*l.*; and on that question he must take leave to call for the sense of the House. Having thus gone over the whole of this branch of the expenditure, he should conclude by observing, that he, for one, had given the Government credit for sincerity when he heard its repeated professions of economy at the commencement of the Session. He admitted now, however, that his delusion on that subject had passed away, and that every act of the Government, where economy was concerned, had satisfied him he was deceived. The Finance Committee, a thing discarded, had made but two strong recommendations—the one to reduce the Lieutenant-generalship of the Ordnance; the other to pursue the superannuation system to the extent of ten per cent on all salaries. How far these recommendations had been attended to, the House could tell—how far the promises of retrenchment had been carried into effect, the Treasurership of the Navy and the Lottery Office could bear witness—the superannuations of the commissioners of the latter being the grossest job he recollected since the termination of the war. Mr. Adams, one of the commissioners, had been superannuated at the age of fifty-five, on an allowance of 375*l.*, although he enjoyed other salaries to the amount of 1,200*l.* Mr. Brooksbank, who had 2,100*l.* a year, was superannuated on 175*l.*, while a certain unfortunate Captain Frederick, who had been compelled to give up his half-pay when he received the 500*l.* a year, was now superannuated at the age of sixty-five, on 375*l.*, the same sum as Mr. Adams. He protested against the system pursued by the Government as unjust and extravagant, and calculated to produce dangerous consequences. He knew, indeed, that the Government had taken off taxes, but he also knew that they left those which pressed with grinding force upon the poorer classes,—such as tea, still taxed 100 per cent, sugar taxed at 150 per cent, tobacco taxed 900 per cent., and soap and candles taxed almost as much, while, by a change in the currency, they had fearfully augmented all the public burthens. The present Estimate involved the principle of economy; it was a proper point to rest upon, and he was determined to take the sense of the House on the subject. The hon. Baronet concluded by moving as an Amendment, that 79,970*l.* be substituted for 87,970*l.*

The *Chancellor of the Exchequer* defended the conduct of the Government, and complained of the wide latitude of observation which the hon. Baronet had indulged in with reference to the whole of the different branches of public expenditure. It was not his intention at that moment to follow the hon. Baronet through the wide field he had chosen for the exertion of his talents on this occasion; but he took leave to deny the accusations thrown out against the Government, and challenged the hon. Baronet to name an

Administration in this country that had ever been so little desirous of exercising for its support, or for the rewards of its adherents, the full extent of political patronage. It was indeed notorious that the Duke of Wellington had, throughout the whole of the period since he had been at the head of affairs, abstained from appointing a single commissionership, although many had become vacant; and that he had sought every occasion to reduce those offices which already existed. Applying himself now to the question more immediately before the House, he denied that the reduction made on the Estimate was any lucky after-thought, as the hon. Baronet seemed to imagine. The Consul at Palermo, who possessed a salary of 1,200*l.* a-year, had died since the Estimate was made up; two other casualties of the same description had also happened in the same period; and the Government, anxious to reduce the expense as much as lay in their power, had diminished the Estimate by the amount of their salaries. This was the after-thought to which the hon. Baronet alluded. A great deal had been said on the subject of the salaries paid to Consuls. He recollected well, at the time a fixed salary was given to Consuls, instead of paying them by fees, that he had very great doubts of the good effect likely to result from the arrangement; but the sense of the House had been taken on the subject by Mr. Canning, and the arrangement was completed. By a Return, laid on the Table, it was found that the whole amount paid to Consuls by fees, after the shipping interests were relieved from the burthen imposed on them in that respect, was only 61,000*l.* The total amount now paid in fixed salaries to Consuls-general and Consuls was only 49,100*l.*, so that, in fact, the country was a gainer by the exchange of about 12,000*l.*, and every opportunity was laid hold of to make further reductions. It was at the same time, however, expressly declared, when this scale of salaries was fixed, that the Consuls should not be allowed to engage in trade. He (the Chancellor of the Exchequer) could well understand that there were places in which a Consul could not engage in trade and perform efficiently the duties of his situation; but there were also others in which he might trade without doing any injury to the interests of those who were under his protection; and he, under that opinion, had spoken to Lord Aberdeen on the subject, with a view of reducing the salary wherever the permission to trade was given. In many places accordingly this relaxation of trading had been allowed and the salary reduced; but the noble Lord having consulted some of those persons engaged extensively in trade, whose opinions were valuable on the subject, and having received an intimation that the relaxation of a permission to trade was not agreeable to the mercantile interests, the system had not been pursued further. In his opinion, the hon. Baronet had dealt rather hardly with the Government, in reference to the salaries of the Consuls, for it was well known that those salaries were fixed at the desire of the House, and that the sense of Parliament, as far as its opinions could be known, were taken on their amount at the time of the abolition of the fees. The Government, indeed, was placed in a very painful situation. If it reduced the offices and superannuated the holders, it was exposed to censure for increasing the number of superannuations; and if it permitted those who had given up all other pursuits for the situation of Consul, to hold the office until it fell vacant by casualties, then it was charged with extravagance. With respect to Mr. Nugent, and the other persons mentioned by the hon. Baronet, there could be no doubt that they remained at their posts until bad health compelled them to return. The case of Mr. Schenley, it must be admitted, was somewhat different. That gentleman had been compelled to return home because he was threatened with a ruinous legal proceeding, which was instituted by persons who wished to avail themselves of his absence. He held in his hand the letter in which these circumstances were stated on asking the leave; and he should be happy to show it for the satisfaction of the hon. Baronet, although, in consequence of the allusions it contained to family affairs, he refrained from reading it to the House. After observing that Mr. Mackenzie was not only Consul at Hayti, but the representative of the Government, sent out to make reports on the state of the country, the right hon. Gentleman proceeded to contend that the salary of Mr. Bailey, the Consul at St. Petersburgh, had been expressly fixed at 1,000*l.*, because the Russia Company paid him 1,500*l.* a year as their agent; and if the hon. Baronet took this, the most arduous Consulate of Europe, as the basis of his arrangement, he would find, that instead of reducing the salaries of the Consuls in other places, he would be compelled to increase them. The hon. Baronet thought that America should be taken as an example in the payment of her Consuls; now America paid her Consuls by fees.

Sir *James Graham* was sure the right hon. Gentleman did not wilfully misrepresent his expressions. He thought he had particularly guarded himself against its being supposed that he wished our establishments to be regulated by those of the United States.

The *Chancellor of the Exchequer* was not disposed to say more on that part of the subject than that America paid the Consuls by fees—a practice which the House had declared to be unnecessary and impolitic; and he concluded by expressing his opinion, that, where the salaries had been fixed with the approbation of Parliament, it would scarcely be fair to reduce them while they were held by the present possessors, unless they were prepared to increase the superannuations.

Mr. *Charles Wood* supported the Amendment, and hoped the Committee, by its vote that night, would mark its disapprobation of the large expense incurred hitherto by the Consular department. In order to be convinced of the lavish expenditure of the Government in this instance, it was only necessary to refer to a few of the items which had been paid to some of the Consuls. Mr. Pousset, for instance, had received 700*l.* while at his post in South America: he next year received the 700*l.* though he remained in England; and next year half that sum.

Mr. *Herries* said, there was a mistake in that account.

Mr. *Charles Wood* said, after that explanation he had no wish to press that particular instance, the more so because there were many instances of a similar description. The hon. Member then called the attention of the committee to the cases of Mr. Schenley and Mr. Nugent, who had been receiving their salaries while others had performed the duty. This was such wasteful expenditure, that he was convinced Parliament would see the necessity of making a material reduction. Government, too, had acted on this principle already: they had appointed a Consul-general in Colombia, with a salary of 800*l.* a-year, while they allowed other Consuls-general to receive 2,000*l.* and 2,500*l.* a-year. If the principle were good in one instance, it must be equally good in the other. He considered the present state of the superannuation list, also, to be most objectionable; and for these, and other reasons, which he would not take up the time of the House in enumerating, he would oppose the Vote.

The *Chancellor of the Exchequer* said, the office of Consul-general in Colombia was to be abolished, and the duty to be performed by a Consul.

Mr. *Charles Wood* said, admitting that to be the fact, his argument still remained good, as there were Consuls-general at Mexico and Buenos Ayres, with the same salary.

Mr. *Hume* said, that it was impossible to conceive a more unfounded charge than that the present system had any part of its origin in him. In answer to that, he would say that he was no party to the clauses which were chiefly objectionable in the new bill. He had pressed on Government the necessity of some alteration, which would deprive the Consuls of the power of charging fees on the shipping interest at any rate they pleased, and establish their salaries on a fixed scale. In order to prove the necessity of a change, he had collected a list of the charges on British shipping levied by the Consuls in the different parts of Europe, and had proved to the House that there were hardly two ports where the charges were the same. In some parts the charges were five times greater, and in others ten times greater, than the charges of the French Consuls. In short, the Consuls might charge any thing they liked; and for these reasons he pressed on the Government the propriety of placing all on the same footing, and also the necessity of furnishing to the master of every vessel, on quitting London, a schedule of the charges which he had to pay on arriving at the port to which he was bound. He allowed also that, by the share he had taken in the abolition of the Levant Company, a charge of 10,000*l.* had accrued for Consuls in the Levant, which sum had formerly been paid by the Levant Company; but the abolition of that Company was in every way advantageous. What he had suggested to his Majesty's Government was, to put the English Consuls on the same footing as the Consuls of America or France. The French Consuls had no fees whatever; the fees of the American Consuls were very small. He had proposed that the English Consuls should be placed on the same footing as the Consuls of America, who were men of the highest respectability. The right hon. Gentleman talked as if the fees had been abolished. In disproof of this supposition the hon. Member read a list of the fees paid to the English Consuls in South America for the transaction of various business; among which was a fee of half a dollar, for administering an oath, which, he observed, they took the advantage of exacting from resident half-pay officers, who were compelled to take an oath four times a year. What his hon. friend, and what he complained of was, that these individuals had enormous salaries, and fees also. The fees themselves were quite sufficient to pay all the expenses that ought to attend the commercial transactions in question. So far from his being a party to the adoption of this new system, he had most decidedly objected, when the bill was introduced, in 1825, to the clause which allowed salaries to the Consuls. The right hon. Gentleman, in proposing the measure, brought forward a number of ridiculous cases to show the propriety of giving them a fixed salary. Among the rest, he stated that there had been a charge of 4*l.*, or sixteen dollars, for shoeing the Consul's horse. He had stated at the time that he was sure the giving salaries to the Consuls would degenerate into an abuse; and not one year had since passed in which he had not brought the enormous salaries paid to the Consuls before the House, and had exposed a number of expensive and ridiculous charges which had been made by the South American Consuls. He denied, therefore, that he was in the slightest degree liable to the imputation of having caused this wasteful expenditure. The first clause in the bill of 1825 declared that the salaries of the Consuls should be reasonable; the next provided that they should be paid only while they resided in the places to which they were appointed. If the ill health of a Consul compelled him to absent himself from his post for a time, no man would wish to deprive him of his allowance, or of a portion of it. But if he were constantly absent, how could he be entitled to any emolument? He was glad to observe that his Majesty's Government began to be awake to some of these improprieties, and were prepared to correct them. It was astonishing how many abuses lurked in various shapes in the public accounts. He recollected having himself for five years concurred in voting a salary to a dead man; and the fact was at last discovered only by accident. He thought it would be well worth the while of his Majesty's Government to consider whether the business of a Consul would not be best done by a person acquainted with business. He held that commercial men were the best fitted to discharge the duties of a Consul, and the fees were in themselves quite sufficient to induce many most respectable commercial men undertake them. There was a Consul-general appointed at Venice who never resided there. There were Consuls in many places (with salaries of 600*l.* a year and upwards), where there was no trade. The produce of the fees in other places was enormous. He had looked over a list of Consuls in Colombia, where they received 10,300*l.*; and the whole of the exports were only 70,000 tons, and the imports 277,000 tons—making a charge on the whole of more than four per cent. Many hon. Members would recollect the long struggle he had had before he had been able to defeat an imposition of a duty of a half per cent on the trade, but it now appeared that in Colombia the fees of the Consuls amounted to four per cent. Mr. Canning said, that that was merely an experiment.—but there had been no subsequent reduction. To show the heavy charges on our shipping interest arising from this source, the hon. Member read a statement of the sums paid at the different ports of Denmark, Sweden, Russia, Italy, and Holland. In some the charge for every 500 tons was 3*l.* 12*s.*; in others, 12*l.* 12*s.*, 34*l.*, 45*l.*, and even 54*l.* This was a state of things which certainly required reconsideration. The charge for supporting chapels, too, he thought quite unnecessary. Formerly the sum was 18,000*l.*; this year it was 7,000*l.*; and he wished to see it entirely dispensed with. The Lisbon merchants assessed themselves. At the Brazils, the merchants assessed themselves. There were many English resident at the different places in which Consuls were established, who would be but too glad to undertake the duties for the fees, without any salary whatever. It was well known that many persons by no means suited to the situation of Consuls were appointed as an exercise of the patronage of Government. In his opinion every Consul-general ought to be got rid of. Instead of applying their whole time to the public service, they confined their duties to a few hours in the day. The hours of business of the Consul-general in Paris were only from twelve to two. Why should there be a Consul-general where there was an Ambassador? Why a double establishment? Why not let the Consul assist the Minister? The present estimate was wholly inconsistent with the professions which his Majesty's Government had made of economy. He, for one, would therefore recommend a very large reduction in it, besides withdrawing a number of Consuls from places where there was no business. He was persuaded that a third of our Consuls in Europe might be advantageously withdrawn. In South America the extravagant allowances made to the Consuls was a matter of general laughter. Those extravagant allowances were injurious. It was a mistake to suppose that high salaries secured efficient services; the reverse was the fact. High salaries caused idleness, and made the individual less fit to do the duty—moderate salaries did not. On all these grounds he would with pleasure vote for the Amendment. He would take the present opportunity of expressing the great gratification which he felt at the result of the debate the other evening on the currency. He hoped that no man would now believe that any change in that respect was possible. He highly approved of the determination of his Majesty's Ministers to sanction no change in the currency. Had they acted differently, they would have been guilty of an Act which would have brought back all the troubles on that subject from which we had so lately emerged. That being the case, however, he called on the House to unite in bringing down the expense of the establishments of the country to an amount consistent with the existing standard of currency. It was weak and absurd to suppose that the country could bear a taxation of sixty-five millions with the present standard of currency, when it could only bear a taxation of fifty-five millions in the former standard of currency. He hoped that the reductions to which, in 1821, the House pledged itself, in its Address to the King, would yet take place; and that Parliament would not go on, day after day, and do nothing to reduce the expenditure.

Mr. *Robinson* said, that he was one of those who had thought it advantageous to have Consuls with salaries; but, looking at the abuses which had arisen from the system, he was satisfied that a most fatal error had been committed by the Bill of 1825, and that the sooner the House returned to a more rational and economical system, the better it would discharge its duty. He did not concur with the hon. Baronet in the general charge which he had made against Government for want of economy. Generally speaking, it was not liable to such an imputation; but he must say that the Chancellor of the Exchequer was bound to give an answer to what had been so ably argued by the hon. Baronet, more especially to the fact of paying large salaries and allowances to gentlemen who, whatever their talents might be, had no duty to perform, whilst whatever duty there was to perform was done by individuals on the spot, also paid by this country. One thing was clear—that there was very little business to do. The hon. Member had adverted to the case of Mr. Coke. He had an appointment, and received orders to proceed to his appointment. After making several ineffectual attempts, though not saying why they were ineffectual, he returned to this country and remained here a considerable time. This Gentleman still enjoyed the place of Consul. He was one of those who thought the appointment of a Consul-general altogether unnecessary. Where we had regular Ambassadors he thought that Consuls-general might be entirely dispensed with. Vice-consuls were totally unnecessary too where there were Consuls—though he believed there were Vice-consuls who did the duty whilst the Consul did nothing whatever. It was a mistaken notion to suppose that in 1825 the office was done away with—it still remained. He was not completely favourable to giving the office to mercantile men, as those men who had not the appointment were jealous of those who had, thinking that by it they obtained advantages. But he would propose a Merchant-consul, with a fixed and fair table of fees. If such a mode as that were adopted, the country would be relieved of this enormous charge of no less than 130,000*l.* In the United States of North America there were no less than eight Consuls, besides a Consul-general, enjoying a salary of 800*l.* When a man went to a cheaper country he ought to be satisfied with a lower amount of salary.

1,600*l.* was too much where a man could have little or nothing to do. It was equal to the salary of the Chief Justice of America. What propriety was there in raising a Consul to his rank? Was it more advisable to return to the old system, or to reduce the salaries? The reductions could not be carried to a very large extent. He would propose to refer the whole matter to a committee. He hoped that the House would not continue a system which would perpetuate upon us and our posterity a heavy charge for superannuation.

Mr. *Maberley* said, that this was one of the subjects which might have been fully and advantageously discussed in the Finance Committee. No person could have listened to the present discussion, without coming to the conclusion, that the establishment in question was one of enormous expense. Not only was it enormously expensive in itself, but it also inflicted an enormous Superannuation List on the country. Ministers seemed not to know how to get out of the evil. The only way was, to refer the subject to the consideration of a Committee, which would show how to get out of it with a reduction of half the present expenditure. He regretted that the hon. Baronet had not proposed a much larger reduction; but certainly the Amendment should have his cordial support.

Mr. *J. Stewart* observed, that as the arguments in favour of the Amendment had failed to convince him of the propriety of the proposed reduction, he should not vote for it. He had confidence in the general disposition of his Majesty's Government towards economy.

Mr. *Hume* said, that the hon. Gentleman who had last spoken had reproached Members for declining to place confidence in his Majesty's Ministers, when scarcely one week had elapsed since the hon. Gentleman had himself declared that he could not give them that confidence. He alluded to what the hon. Member had stated respecting Ceylon—viz. that five or six years had passed, and Government had done nothing which they had promised to do. To be consistent, the hon. Gentleman ought now to give his vote against Ministers upon the very grounds which he had himself alleged.

Sir *R. Peel* could not see the slightest inconsistency in the conduct of the hon. member for Beverley. When the hon. Gentleman said, that he entertained confidence in the general disposition of his Majesty's Government towards economy, he by no means relinquished his right to examine any particular part of their conduct. He did not think his Majesty's Government had been well used by the hon. Baronet. It was too much for the hon. Baronet to argue, that his Majesty's Government disregarded public opinion because they disregarded his opinion. What were the facts? The estimates voted last year amounted to 17,526,000*l.*; the estimates which it was proposed to vote this year amounted only to 16,584,000*l.* When did any preceding Ministers of their own accord, the circumstances of the country remaining the same, propose a reduction in one year of 1,100,000*l.*? Having done that in a single year, and having declared their determination, if they continued in administration, to persevere in their course, that afforded in his mind a conclusive answer to the charge against them of constituting a profligate and corrupt Government.

Mr. *P. Thomson* had not heard any body charge his Majesty's Government with being profligate and corrupt. If he had, he should have been the last man in the House to assent to the justice of the accusation. But when the right hon. Baronet got up and declared that Government had spontaneously introduced a system of economy to a certain extent, the circumstances of the country remaining the same as last year, he must deny the accuracy of the position. Were the circumstances of the country the same? Had the right hon. Baronet and the House heard nothing of the distress of the country? Had no petitions been presented from large bodies of the people, complaining that they were destitute of bread, that they were over-taxed, and over-worked; and praying for a reduction of the public expenditure? To be told, therefore, that Government had voluntarily, and of its own accord, come forward, the circumstances of the country remaining the same, was to be told that which was not borne out by the facts. He allowed his Majesty's Ministers some credit for a disposition to economy, although that disposition had probably been stimulated by the prayers and petitions of the people; but it was too much to see them take to themselves the infinite credit which they did on the subject. In his opinion great benefit resulted from the abolition of fees, but he thought the House had great reason to complain of the system upon which Consuls were appointed. They really were found to accept office rather as a matter of patronage and of favour than with any sincere and earnest desire to perform their duty. What necessity, he would gladly learn, was there for such a payment being made as 11,000*l.* to each of our Ambassadors—what did they do to compensate the country for so vast an expenditure? For 500*l.* a year the interests of the country would be better attended to. He would also desire to be informed upon what ground such a payment as 1,200*l.* a year to the Consul-general at Naples could be justified—a place, the whole trade of which, with the whole world, did not amount to 1,000,000*l.* annually? Perhaps it was, that the climate was fine, and that the Government found it a convenient place to send any gentleman to whom they wished to oblige. The Consuls in the employment of England were less efficient than those in the employment of any other great commercial country. He begged the House to turn its attention to the case of France—they would there find an excellent example for imitation. They had there a school for the education of Consuls. America was also better served in the Consular department than England. For these reasons, then, he would vote for the Motion of the hon. Baronet, being satisfied that the House of Commons could not too soon take the matter into its own hands.

Colonel *Sibthorp* said, the arguments of the hon. Baronet quite convinced him, and he should, therefore, vote for his Amendment. He wished that every vote they gave should go forth to their Constituents; and he hoped the country would support them in that the first blow which they had struck in the fight they had commenced against the Ministers.

Sir *James Graham* wished to explain some expressions of his which appeared to have been mistaken by the right hon. Baronet opposite. He went on to say, "I did not charge his Majesty's Government with being profligate or corrupt. I should be the last man in this House to retract any censure which I might find it my duty to pronounce upon any Administration. What I did say was this—the Ministers of the Crown, in their professions of economy, when those professions were brought to the test of their acts, did not appear to be marked with sincerity. All their reductions affected Subordinate Officers—men powerless, destitute of influence; and they uniformly avoided anything like reduction when they came to deal with men having votes in either House of Parliament, or influencing votes in Parliament. When they approached large emoluments, this spirit of reduction immediately disappeared, and they were found pertinaciously adhering to everything in the nature of patronage that could affect the two Houses of Parliament. That is the amount of what I stated, and my respect for the character of the right hon. Baronet induces me thus to re-state it, and explain it, though without any retraction. In the course he pursues I am far from saying that he is worse than other Ministers—what he does is perfectly natural to all Ministers—he is not a whit more pure than any of his predecessors. I said so before, and I say so still, but that was all I said; and it is the perception of that which makes me depart from the support which I thought it would be in my power to afford the Ministers, and which, at the beginning of the Session, I expressed an intention of giving them." The hon. Baronet then proceeded to reply to some of the arguments that had been urged in the course of the discussion, and concluded by saying that he thought it would be an improvement upon the system, if the remuneration of Consuls were left more to the individual good-will of the merchants.

Sir *R. Peel*—By voting against the Motion of the hon. Baronet, I do not pledge myself to the support of the present Consular establishments, for I think that the whole system of our Consular establishments, and salaries ought to be revised. We are, however, placed in a peculiar situation; for if we concede to the opinion of the House of Commons on one occasion, our so yielding is used as a taunt against us at another. This certainly is a novel course, at least, if it be not a just one. Now, the present system relative to Consuls was an experiment of Mr. Canning's, in the year 1825; and the abolition of fees and the substitution of salaries was tried at the recommendation of the House. This experiment has not succeeded, and it is a subject worthy of serious consideration whether we ought not, partially to return to the old system of remuneration by fees.

But, let me ask, am I to be taunted, because the House of Commons threw out a suggestion, to which I yielded; or, is there any thing in such conduct to justify the hon. Baronet in throwing out such a taunt? The House of Commons is as much responsible for the present Consular system as the Government; and therefore not the tribunal that ought to inflict censure. There have been, already, several reductions made, amounting to 5,300*l.* a year; and, as vacancies occur, a due and proper consideration will be given to every appointment before any vacancy be filled up: but it would not be good policy to withdraw from remote colonies the present Consuls, and put them on the superannuation list at home. There are, at present, under the consideration of my noble friend at the head of the Foreign Department, the appointments at Mexico, Carthagena, Lima, Valparaiso, Buenos Ayres, Conception, Lisbon, Madrid, and several others; and as vacancies occur at these stations, the necessity of filling them up will be considered; and, what is of more importance, also, whether the emoluments of these offices may not undergo some partial alteration—at least, as to the source from which they are to be ultimately drawn.

Mr. *Coke* (of Norfolk): Sir, notwithstanding what has fallen from the right hon. Secretary, I must say that, in my opinion, at all events, whatever reductions may have taken place, have been effected through the perseverance of this side of the House; and I am also confident that we should have had no reduction this year either, if it were not for the pressing from this side; and many, I know, are of the same opinion. And this also I can say, that ever since I have been a Member of Parliament, there has never been evinced a disposition on the part of any Administration to reduce either salary or pension of its own accord. Ministers may be goaded to do so, I admit, and especially when they see what I apprehend the right hon. Baronet may see to-night, that the probable majority of the House is against him. In these cases he may be obliged, like others similarly situated, to attend rather more than is usual to the wishes of Parliament.

Sir *Robert Peel*—Surely the hon. Gentleman will not take credit to his friends for the reduction announced in the King's Speech to Parliament.

Sir *Stratford Canning:* I do not rise to delay the Committee, but I feel it right to notice an observation made at the other side of the House. The hon. member for Aberdeen, in speaking of the Consul-general at Paris, observed that his office was open only for two hours each day. I can, however, assure the hon. Gentleman that he is misinformed in that respect, as the office is constantly kept open from eleven o'clock in the morning until four, and sometimes five o'clock in the afternoon. I have also to observe, that the Consul-general at Paris, pays the salary of a Vice-consul out of his own pocket. As to the other expenses alluded to to-night, it would ill become me to occupy the time of the Committee, but I thought it right to give this explanation; and I trust that the hon. member for Aberdeen will feel glad of having had this opportunity of being undeceived.

The Committee divided.

For Sir J. Graham's Amendment 98; Against it 121—Majority 23.

List of the Minority.

Althorp, Lord
Beaumont, T. W.
Bankes, H.
Brownlow, C.
Baring, A.
Baring, F.
Bernal, R.
Bentinck, Lord G.
Birch, J.
Bright, H.
Buck, Mr.
Coke, T. W.
Colborne, N. W. R.
Crompton, S.
Carew, R. S.
Carter, J. B.
Cavendish, W.
Cartwright, W. R.
Dawson, M.
Denison, J. E.
Denison, W. J.
Davies, Col. T. H.
Dickinson, W.
Duncombe, T. S.
Ewart, W.
Ebrington, Viscount
Encombe, Lord
Fyler, T. B.
Gascoyne, General
Guise, Sir B. W.
Gordon, R.
Hume, J.
Howick, Lord
Honywood, W. P.
Harvey, D. W.
Hobhouse, J. C.
Ingilby, Sir W.
Inglis, Sir R. H.
Jephson, C. D. O.
Knatchbull, Sir E.
Keck, Legh
Knight, R.
Kekewich, S. T.
Kemp, T. R.
Killeen, Lord
Lambert, J. S.
Lumley J. S.
Lester, B.
Langston, J. H.
Latouche, R.
Labouchere, H.
Lloyd, Sir E.
Lushington, Dr.
Morpeth, Viscount
Marshall, J.
Marshall, W.
Monck, J. B.
Maberly, J.
Marjoribanks, S.
Macauley, T. B.
Ord, W
O'Connell, D.
Osborne, Lord F.
Parnell, Sir H.
Pendarvis, E. W. W.
Phillips, Sir G.
Philips, G. R.
Pryse, P.
Power, R.
Phillimore, Dr.
Palmer, C. F.
Rancliffe, Lord

Robinson, Sir G.
Robinson, G. R.
Rice, T. S.
Robarts, A.
Rickford, J.
Sefton, Lord
Scott, Hon. T. H.
Sykes, D.
Sibthorp, Colonel
Slaney, R. A.
Sadler, M. F.
Sandon, Viscount
Smith, Hon. R.
Tuite, H. M.
Townsend, Lord F. C.
Thomson, C. P.
Trant, W. H.
Vyvyan, Sir R.
Wood, Alderman
Wood, J.
Wood, C.
Wetherell, Sir C.
Warburton, H.
Warrender, Sir G.
Waithman, Ald.
Wrottesley, Sir J.
Western, C. C.
Wilbraham, G.

Teller.

Graham, Sir J.

Paired off.

Benett, J.
Davenport, E.
Clive, E. B.
Fergusson, Sir R. C.
Guest, J. J.
Kennedy, T. F.
Price, Sir R.
Rowley, Sir W.
Calvert, C.
Russell, Lord John
Dundas, Hon. T.
Lawley, T.
Tavistock, Marquis
Normanby, Viscount
Wall, C. B.
Lambe, Hon. G.
Foley, J. H.

SUPPLY—NEW SOUTH WALES.] Mr. G. Dawson moved that a sum of 120,000*l.* be granted to his Majesty for the Civil Establishment of the Colonies of New South Wales and Van Dieman's Land, and for the Expenses of Convicts in these Settlements for the year 1830.

Mr. *Hume* said, that if Consular charges were of importance, those of the colonies were much more so, and especially those of New South Wales, for which they were now called on to vote 120,000*l.*, although, if the local revenue were properly managed, it would be sufficient to pay every expense. The House was not aware of the annual amount collected in these colonies. The last account was that of 1825, and from that it appeared that, in 1825, there had been received 68,000*l.* and the expenditure came to 77,000*l.* From that period the increase, both in the revenue and expenditure, had gone on until the latter, in 1829, amounted to 138,000*l.* The revenue in the colony last year had been 94,000*l.*; and yet the House was asked for 120,000*l.* in addition, exclusive of the military expenses, which were included in the annual estimates, and which came to 150,000*l.* more. The colony might be maintained at one-half this expense; and the revenue, if well applied, would cover the whole expenditure within 30,000*l.* or 40,000*l.* He had moved, three months ago, for the accounts of the colony, in order to be prepared for this vote, but he could not get them. The progress of extravagance was enormous in every department, and that was not to be wondered at when all was under the supremacy of an individual over whom there was no control, and who had three funds to draw on—namely, the colonial revenue, of which he gave no account; bills drawn on the Treasury; and the Commissariat bills, drawn on account of the military. The Secretary of State was in possession of no accounts, and it was too bad to be called on to vote 270,000*l.* without knowing how it was to be expended. Under all the circumstances, he would impress upon the right hon. the Colonial Secretary the propriety of a committee up stairs; and one of the grounds was, that the right hon. Gentleman knew nothing of what all the money was required for, and how it was expended, as the Governor would send home no accounts. There was gross mismanagement; for, on the arrival of convicts, instead of being hired out to those who were anxious for them, they were sent in gangs to lumber-yards, and other places, and placed at the disposal of a Board of Works in the colony,—a species of establishment likely enough to lead to extravagance, even in England, where there was some control and inspection, and doubly so in a colony like New South Wales, where there was none. Besides, there was no necessity for it, as every species of Government-work could be contracted for with advantage.

Sir *Robert Peel* observed, that on the discussion relative to the Penitentiary, his anxious attention had been directed to this subject, and that he wished to have an inquiry instituted into all secondary punishments, as well as a comparative examination into the expense attending them, whether referring to the hulks, the Penitenitary, or New South Wales. His wish was, that such an inquiry should now be set on foot, and undertaken by one committee, as the various subjects were inseparably connected. He would ask to have this grant passed, and have the inquiry instituted next Session. He was collecting documents, and wished the whole subject to be minutely examined into, and instead of having any objection to a committee, he wished the Government had the sanction of a committee. He thought, if the intervening period between this and the next Session were employed in preparation, it would be better to have a full inquiry, than an imperfect one at present.

Mr. *Hume* wished to know, what the commission appointed at an early period of the present Session had done, the object of which was very like what he sought for on the present occasion—namely, to reduce the expense of the colonies within their revenues. In this colony, beginning with the Governor, his salary had been increased from 3,100*l.* to 4,700*l.* a-year, and his emoluments did not fall short of 6,000*l.* The expenses were enough to frighten one. Then Mr. M'Clay, who had been sent out as Secretary to the Governor of a paltry colony, received 2,000*l.* a-year, and, over and above, had a superannuation allowance of 750*l.* a year for an office he formerly held in England; so this person actually received 2,750*l.* per annum. And what was the conduct of the Governor? Mr. Hayes and another were in gaol for fifteen months, and it was not in their power to bring the Governor to any account. The House would recollect that he had already protested against having a military jury wherever juries were allowed in any cause between the Governor and a subject. But that was disregarded, and, in consequence, what was the state of the editors of newspapers in the colony who had incurred his displeasure? There were fourteen *ex-officio* informations against them, and they were tried by military juries. Now what ought to be said to an Attorney-general who would institute prosecutions against individuals, and to a Governor who had the power of naming five officers to serve as jurymen, by his Brigade-major? Formerly there were five officers for all trials; but some of them not being found tractable, the five were chosen weekly; but now it was done through the Brigade-major. There could be no chance of a fair trial; for, instead of going the fair way to meet any charge, down came *ex-officio* informations, and the editors of "The Australian" and "The Monitor" were now in gaol, and, by the last accounts, three more prosecutions *ex-officio* had been commenced. It was right and just that there should be an opportunity of inquiring into the whole manner in which the colony was conducted. The right hon. Gentleman said, let us have a committee next Session; he said, let it begin its labours to-morrow, and he would engage to attend to it every day, from eleven o'clock until the House sat. He asked, was it not five years since he had moved for accounts relative to this colony, and how much further had they got since? He had recommended the recall of the first Governor who had refused the accounts; and certainly the right hon. Gentleman opposite had taken a vast deal of trouble in managing the accounts of this colony, such as they were, for the Finance Committee. There was another subject relating to the colonies which deserved investigation; it was that of pensioners. It appeared that there were pensions to the amount of 35,000*l.* a-year granted out of colonial revenues to individuals residing in England. An item in one account he held in his hand was, "To amount of pensions transmitted to England, 4,500*l.*" He asked the Colonial Secretary where the particulars of this account were to be found, and he said that he did not know where they were. He believed the right hon. Gentleman to be thoroughly sincere, and that he did not know how these things went on; and was not this, he would ask, enough to excite attention and provoke inquiry. He had, moved for accounts of the establishment at New South Wales, and any year subsequent to those of 1825, which he had, would satisfy him; but he could not get them, nor could the Colonial Secretary. Again, he would ask, why should Mr. M'Clay receive 2,000*l.* a-year as Secretary, 250*l.* a-year for house-rent, and a pension of 750*l.*, besides large grants of land? If the House would only permit the inquiry, they would see the fatal influence of an abuse of power beyond what they could suppose. The Governor of New South Wales exercised such a power, and the consequence was, that he made grants to every branch of his family, and there was a whole colony of Darlings—brothers, and brothers-in-law; there were also a plenty of gentlemen who held both offices and large grants. He wondered the right hon. Secretary for the Colonies did not make some alteration, although it was, at the same time, but justice to admit, that the right hon. Gentleman had lately refused the office of treasurer to one of the Governor's brothers-in-law. The Auditor general was a person whom the Governor had brought from another colony, and was his brother-in-law—Captain Dumaresque. However, so it was, the Treasurer, the Auditor-general, and the others, were placed by him in office, that the accounts could be easily made up, as there would be no possibility of detecting either fallacy or imposition. In addition to all that, the press was muzzled.

Mr. *Wilmot Horton* approved of the appointment of a committee, but he would not be satisfied to refer to that committee the subject of expenditure only of the colony, but also the inquiry how far the secondary punishment of transportation thither acted as a prevention of crime. The system of punishment there was the mere employment of the convicts as agricultural labourers—as well fed and clothed as that class was in England. With respect to the increased expense of the colony, he was not surprised at that, as the population was increasing, and so also were the public establishments necessary for the government and superintendence of the colony. He maintained that the offices in the colonies ought to be well filled, and nothing could so well secure proper appointments as the Gazetting those appointed in England before they went out. It would be also right to give the utmost publicity to all transactions in the colonies.

Sir *George Murray* said, that the charges made by the hon. member for Aberdeen were so general, that it was not easy to answer them. He complained that there was no returns to his motions. The hon. Member called for papers for 1829; but these papers could not be produced, because they had not yet arrived from the colony. In reply to the hon. Member's call for other returns, he (Sir George Murray) told him that there was great labour and much time to be employed in getting them, as some of them were connected with other departments. With respect to the pensions, those which were payable by the agent for the colony did not exceed 1,400*l.* The right hon. Gentleman then read the names of Mrs. Wright, Mrs. Thompson, and other widows, to whom these pensions, constituting that sum, were payable; and the pension of 50*l.* a year to one of them was given at the instance of the hon. Member himself. There was 400*l.* paid as a pension to the widow of Governor Macquarrie—that now ceased, and, therefore, the pensions now paid by the agent were altogether only 1,011*l.* The right hon. Gentleman, in justification of the expense of the colony, enumerated the different public establishments necessary to be kept up for so large a population, amounting in all to 57,611, of whom 36,598 were convicts, who were scattered over a wide country. The expense necessarily increased with the addition, from time to time, of a number of convicts. As to the imputation of jobbing cast upon the Governor, that he denied. There were only three gentlemen in the colony connected with the Governor. Two of them were his brothers-in-law, one of whom was private secretary to the Governor; the other had no office. He would be glad of an inquiry into the expenditure as proposed. Several reductions had been made, and more were under his consideration. It ought to be recollected that salaries were given to the persons on the ecclesiastical establishment —not only to Protestants, but to Catholics also. He admitted that the system of sending out convicts was an expensive mode of punishment, but it was in many points advantageous.

Mr. *O'Connell* observed, that no answer was made to his hon. friend's complaints of the *ex-officio* informations. No less than eleven of them were issued against the conductors of newspapers in that colony. One of them was for a paragraph which was considered a libel, but which was no more than a simple complaint of the manner in which the writer was treated by the Governor and his military jury; yet he was found guilty by that jury of the second libel, and sentenced to twelve months' imprisonment. Now, in a place where there was no society to operate as a control over those in power, and where the people had no protection but that of the Press, it was rather hard to try a man for a paragraph like the one to which he referred—and that by a military jury— and to sentence him to twelve months imprisonment.

Sir *George Murray* would be glad if the hon. and learned Member would read the observations of the Judges of the court, and of the party's own Counsel, at the trial of the person alluded to. He had as great respect as any one for the liberty of the Press; but, from the observations made by the Court and Counsel, he inferred that the libel was of an aggravated character, and that the liberty of the Press was there very much abused.

Mr. *O'Connell* said, that there was nothing libellous in the paragraph; and, if the Counsel cringed to the court and government, he could only say, that he would not be defended by such Counsel.

Mr. *Jephson* asked why was not there an appointment of proper juries, and not of military men?

Sir *George Murray* said, he was not responsible for that: the jury-system of New South Wales was arranged by an Act of Parliament.

Mr. *Bright* said, that the proposed investigation ought to be separate—into the nature of the punishment, and into the expenditure.

Vote agreed to.

A vote of 9,000*l.* to pay, for 1830, the Fees due to the Clerks and Officers of the House upon the passing of Turnpike-road Bills was agreed to.

SUPPLY—LAW COMMISSION.] The next Resolution moved was for a sum of 16,600*l.* to defray the Salaries and expenses of the Commissioners appointed to inquire into the superior Courts of Common Law, and into the Courts relating to Real Property, for the year 1830.

Mr. *Hume* wished to know, if thirteen commissioners were appointed, why the estimates were only for ten. He had looked into the first report, and found it to contain a good deal of ordinary matter. The subject, however, was one which he did not profess to know much about.

Sir *Robert Peel* said, that in the first instance only ten commissioners had been appointed, but three were subsequently added.

Mr. *Hume* was opposed to the Vote altogether, and one main ground of his opposition was, that the best persons were withheld. He should like to know why it was, that the names of Mr. Butler and Mr. Humphreys were left out?

Sir *Robert Peel* said, that the learned persons selected were as eminent as any in the whole range of the profession. As to Mr. Humphreys, the reason why he was excluded was because he had previously pledged himself to certain strong opinions in a work which he had published on an important branch of the inquiry.

Mr. *Hobhouse* considered that Mr. Humphreys had written the best book that could be produced on the subject, and that fact alone ought rather to qualify than disqualify him for the appointment.

Sir *M. W. Ridley* had so high an opinion of the talents of Mr. Humphreys, that he very much wished to see him appointed sole commissioner. He thought that instead of there being so many individuals appointed, who had their own professional avocations to attend to, there ought to be one learned and experienced person selected for the duty—a person who, like Mr. Humphreys, would have no practical interest in the law. To such a man a salary might be continued for life with great public advantage.

Mr. *Brougham* was ready to admit, to the fullest extent, the merits and talents of Mr. Humphreys, knowing them to be of the very first order; and he at the same time much regretted that the name of that gentleman was not included in the commission; but still these considerations could not blind him to the extreme merit of the commission, constituted as it was. The gentlemen composing it were distinguished for great knowledge, perseverance, and ability; and in proof of the strict attention they paid to the duties that devolved upon them, it was only necessary for him to state a fact which had come within his own knowledge; namely, that they had sat on one particular day for eleven hours successively, for purposes connected with the inquiry. The first report related to the law of Real Property, and was in his opinion, an invaluable production. The subject itself was one, compared with which all other matters relative to the law sunk into comparative insignificance. The second report was still under consideration, and referred to the Registration of Deeds—a subject also of great public interest, not only in Yorkshire and other parts of England, where there was a system of registration, though imperfect, but also in those parts of England, where there was none. The first report was the one adverted to by his hon. friend, the member for Aberdeen, who had proved that, which it was quite unnecessary for him to prove; namely, that he knew nothing whatever about it. He (Mr. Brougham) contended that the commissioners had gone to work with the firm determination of effecting real practical reforms, and hitherto they had most ably and honourably acquitted themselves. With respect to the report of the Commissioners of Common Law, all he could say was, that never yet had public money been better bestowed than were the few thousand pounds which this production cost. A more learned, sound, or useful report, upon an arduous and complicated subject, he had never yet seen. The expense of the commissions altogether was

50,000*l.*, a sum not exclusively expended on law inquiry, for the report included matters of another description. One notable Scotch Canal commission had swallowed up more money than all the other commissions put together, from the year 1807 down to a very recent period, and, had it not been for the fortunate discovery of steam navigation, the chances were, that the whole of the money would have gone to the bottom of the canal. The commission now before the House, be it always borne in mind, cost the country only the one hundred and seventieth part of the expenses of the last year of the last war; and he earnestly wished that all public money were applied to so good a purpose as that for which the present Vote was brought forward. He must, however, observe, that there ought to be a certain fixed period within which the labours of all commissions ought to terminate, for there was in such bodies a principle tending to perpetuate their own existence. He agreed with the right hon. Gentleman opposite, and, indeed, he had himself particular reason to know the fact that the gentlemen who were named upon the commission had accepted the office very unwillingly, and would have been very glad to have excused themselves. What gain could it be to his friend Mr. Campbell, for instance, a gentleman at the head of his profession, to receive what to others might perhaps be a desirable salary, but which to him was nothing—for a duty which took up so much of his time and attention. He knew that Mr. Campbell would have preferred that the duty had been an honorary one, but, as some gentlemen not equal to him in eminence—conveyancers and others, were placed upon the commission, to whom it was necessary to give some compensation for the sacrifice of their business, of course it was impossible to make a distinction, or for one gentleman to say that he was above receiving what was given to others. He thought that some limit ought to be put to the duration of the commission; and if no other gentleman would make a motion to effect that, he should feel it his duty to do so; and he wished that this should be taken as a notice, that he should take some step for bringing the commission to a close at some definite time. He approved highly of all that had been done, and looked confidently forward to the great and important improvements in the law which must result from the labours of the commission.

Sir *Charles Wetherell* hoped that no Gentleman in that House, whether a possessor of freehold property or not, would suffer his judgment to be influenced by the important consideration, whether every man of landed property should be obliged to register publicly every deed or instrument, of whatever kind, affecting his property, but would form his opinion as to the entire effects of the report. He had the highest respect for the learning and talent of the gentlemen who composed the commission, and he was glad to pronounce an eulogy upon them; but, at the same time, he begged leave to say, that he would not be bound by their decision, but would reserve his own judgment, whether or not he should adopt their report. He had an opportunity of knowing that many of the Judges did not concur in some of the propositions relating to the common law; and as to the suggestions of the real property commission, there were many of them to which he should feel bound to give an earnest opposition [*Question*]. He should be glad to ask the hon. Gentleman who called "Question," whether he was the owner of freehold property? and if he were, he would tell him that he would be obliged to make a public registry of every single instrument or act relating to his estate.

Mr. *O'Connell* said, that in Ireland the system of registry had been in practice for a century, and it worked extremely well. It prevented a number of frauds. The only defect in the system of registration was, that it did not go far enough. He was sure that, if introduced into England, it would increase the value of real property by many years' purchase.

Mr. *C. Wood* bore testimony to the efficacy of registration in Yorkshire, in preventing frauds.

Sir *Charles Wetherell* said, that the Yorkshire registry was condemned as an ineffectual mode of attaining the proposed object.

Mr. *Brougham* said that, if the system of registry was not perfect, it was because it did not go far enough; and it was quite a logical argument to say that, if even a bad system had produced great good, much more might be expected from an improved one.

Sir C. Wetherell rose again, but

Mr. *Trant* said, that the public business could not go on if Gentlemen indulged in constant repetition of irrelevant matter, or, as his hon. friend the member for Aberdeen would say, rigmarole.

Resolution agreed to.

Supply—Colonial Expenditure.] The next vote was 3,040*l.* for the expenses of the Civil Establishment at the Bahama Islands for 1830.

Mr. *Wilmot Horton* complained of the state of ignorance in which the House was left respecting the colonies, while there were ample means of laying before the House full information as to their expenditure and revenue. The estimates for those dependencies ought to be examined with a view to their principle, rather than by unnecessarily scrutinising each particular vote. With respect to the colonies of Nova Scotia, Prince Edward's Island, and New Brunswick, it deserved serious consideration whether they ought not to take upon themselves their own expenditure. The hon. member for Aberdeen frequently said that the colonies ought to pay their own military expenses; but against that principle he (Mr. W. Horton) should always protest. That branch of their expenditure must depend upon a thousand circumstances, for which the particular colony was not individually responsible; and it would be as unjust to fasten that burthen upon it, as to tax a county for the troops which were quartered in it. With respect to the question whether the colonies ought to take upon themselves to support the expenses of their civil government, that rested upon a different footing, and he would trouble the House by reading a circular letter addressed by Lord Bathurst to the governors of the colonies on this point. The right hon. Gentleman then read the following letter:—

"*Downing Street, Oct.* 8*th*, 1825.

"Sir;—You are aware that in all discussions which of late years have taken place in Parliament on the subject of the Colonial Estimates, it has been objected, that the North American colonies ought to take upon themselves those permanent and necessary expenses of their civil government which have hitherto been charged upon the revenues of this country. I have always felt unwilling to enter upon the subject, until the period should arrive when, from the growing prosperity of those colonies, and from the condition which they had attained with respect to their population and resources, I could press it with the conviction, that the proposition was not only one which ought to be entertained by the Legislature, but one which would be met by the most anxious disposition to comply with the wishes of Government. I also deferred pressing this point, till Parliament had actually removed those restrictions to which the commerce of the colonies had hitherto been subject; because, though it might not have appeared unreasonable to have made the extension of a policy so liberal towards the colonists in some measure dependent upon their assuming upon a just footing the charges of their own government; yet I felt it a more pleasing course, and one which I trusted would be found not less effectual, to rely rather upon the disposition of his Majesty's subjects in the colonies to evince a just sense of these advantages after they should have been conferred upon them, than to have attempted to induce them to a compliance with the proposition by any promise of consequent concession and advantage. By the measures which Parliament has adopted, the restrictions I have referred to are removed, and the colonies now enjoy, under the protection of his Majesty, the same freedom of trade with the Parent State and foreign countries, as if they constituted in fact integral parts of the United Kingdom. Such a state of things, it is confidently hoped, cannot fail to produce an increase of prosperity, that will either enable the colonists to bear the charge of the civil government, without the necessity for imposing additional taxes, or will make the increased taxes which it may be necessary for a time to provide, less burthensome than those which they are obliged now to sustain. I have had frequent occasion to regret the inconvenient consequences which have arisen in some of his Majesty's colonies, from the practice of providing by an annual vote for those charges for civil government which are in their nature permanent, and which, therefore, ought not, consistently with those principles of the Constitution common both to the United Kingdoms, and to the colonies, to be classed with those contingencies of the public service which, being necessarily fluctuating, may be fitly provided for as the occasion appears to demand. In point of fact, the necessity of an annual vote for the maintenance of a fixed and permanent establishment is only calculated to embarrass the public service, and to disturb the harmony which ought to exist among the different branches of the Legislature—it even tends to impair that confidence between the government and the inhabitants of a colony, which is equally necessary to the support of the former, and to the happiness and prosperity of the latter. In the practical execution of this proposition, it cannot fail to be satisfactory to the Legislature to observe, that it is not intended that the provincial revenue should be charged to an excess beyond the long established and ordinary charge, until a further increase should by them be deemed expedient. The charges of which the present estimate consists, being all strictly of a permanent description, I should propose, that the Act which will be necessary to make provision for the assumption by the colony, should continue in operation for the space of ten years. The cordial adoption of this proposition on the part of the Legislature cannot fail to draw still closer the ties which so happily subsist between the mother country and her dependencies, and to induce a favourable disposition on her part to apply her capital for colonial purposes. And when it is considered how heavy an expenditure is necessarily incurred by Great Britain in the military defences of her colonies, it would seem unreasonable, under present circumstances, to question the readiness of the latter to provide in a proper manner for the expenses of their civil government. You will explain in the fullest manner to the Legislature in the course of the next session, the expectations of his Majesty's Government upon this subject, and you will at the same time inform them, that whatever funds may be raised or received within the province, such fund not being under the control of the Legislature, will be appropriated to the benefit of the province, at the discretion and under the sanction of his Majesty's Government."

The right hon. Gentleman then proceeded to point out the different circumstances in which some of the colonies were placed from others — that some had legislative assemblies, and others were wholly dependent on the Orders in Council sent out from this country. The proposition in the letter appeared perfectly equitable and reasonable, and he thought it justified the House in calling for the reasons why any of the British North American colonies, and particularly Nova Scotia, New Brunswick, and Prince Edward's Island, did not take upon themselves the expense of their own Government. He had often regretted the necessity of procuring an annual vote of the Parliament, for establishments in their nature permanent, and he trusted that that necessity would soon be at an end. He thought that letter one of the utmost importance, and was most anxious that its effect should, by the means by which the public became acquainted with the proceedings of that House, reach the colonists, who were so much interested in the principles it developed. He recommended that the colonies should, as much as possible, be allowed to enjoy constitutions like that of this country. Many persons were under the impression that this was so, when they saw a legislative assembly and executive; but there was no parallel between their government and ours, as there was a *veto* on all their acts. If he could venture to advise, it would be, that the colonies should be made to govern themselves; that in the ceded colonies, where there was only an executive government, there should be a council, with power to remonstrate against the acts of the Governor where they differed, which would be a salutary check. He would also, where colonies governed themselves, have a Chancellor of the Exchequer for the taxes which were proposed and raised in each, and an account of all laid annually before Parliament, for the parties there could not be supposed to be as well aware of the operation of any tax on industry and commerce as we were in this country. We should also have proper persons, perfectly qualified to fill colonial situations, and suitably paid; but, above all, he would recommend that the colonies should govern themselves in their internal economy. This principle if acted upon, would prevent those disputes which we had seen in Lower Canada. The right hon. Gentleman concluded with hoping that the Colonial Department would receive that simplification which had been introduced into the other parts of our financial system.

Sir *George Murray* said, it was his intention, as soon as he conveniently could, to lay before the House a full account of all the items of colonial expenditure. As to the military defence of the several colonies, he thought it would be too much to expect the colony should maintain its military defensive force. The great difficulty in all these colonies was, that the constitutional principles of the mother country were not found so well to amalgamate with the colonial forms of government. The aristocratical principle, in particular, was but imperfectly introduced throughout the whole of our colonies.

Mr. *Spring Rice* hoped that the speech of his right hon. friend, on this occasion, would not be suffered to pass without appearing in a printed shape before the public. Its matter was excellent, its acquaintance with the subject profound, and evidently derived from official sources.

Mr. *Labouchere* contended that the aristocratical principle never had been intended to be ingrafted on the ancient constitution of Canada. All attempts to introduce it there, he pledged himself to the right hon. Gentleman, would totally fail. It was contrary to the genius of their constitution, and foreign to the habits of the country. If the right hon. Gentleman imagined the bill he had promised to introduce would prove a bill of conciliation, he was much mistaken. The Canadians would resist every effort of that House to tax them—it would take all the exertion of its high privilege and power to force the meditated measure on the reluctant people of that country.

Sir *George Murray* explained, that he did not wish to introduce an aristocracy into Canada.

Mr. *M. Fitzgerald* said, his right hon. friend found an aristocratic constitution in Canada—he did not introduce it; Mr. Pitt introduced that government into Canada.

Mr. *O'Connell* thought that there was not too much of the democratic principle in Canada and the other colonies, and that it was folly to attempt to introduce an aristocracy into Canada.

Mr. *Hume* recommended Sir George Murray to read the account of the proceedings of the Legislative Assembly in Canada, in order to see what was the state of feeling in that country. He recommended the Government to withdraw its officers, and cease to meddle with the colonies, and they would take care of themselves.

Mr. *Maberly* said, that the House was voting 265,000*l.* for the Colonial service without hearing for what it was intended. The House should pause before it consented to the vote, and if the colonial expenditure were remitted to a committee, he was sure that a great saving would be made.

Vote agreed to.

The House resumed, and the Report was ordered to be received on Monday next.

Dean Forest Bill.] The House went into a Committee on the Dean Forest Bill.

Mr. R. Gordon objected to a clause empowering the Commissioners to fix up stones and determine boundaries before making their report to the Commissioners of Woods and Forests.

Lord Lowther defended the clause.

On the Clause the Committee divided: For the Clause 30: Against it 29—Majority 1.

The Bill, with Amendments, ordered to be reported on Monday next.

HOUSE OF LORDS,

Monday, June 14.

Minutes.] Petitions presented. By the Earl of Radnor, from the County of Cornwall, complaining of Distress and praying for a Reform in Parliament. By the Marquis of Clanricarde, from the Managers of the Provincia Bank of Ireland, at Galway, against the Punishment of Death in cases of Forgery; and from Loughborough and its vicinity, against the Monopoly of the East India Company. By the Duke of Richmond, from the City of Chichester, praying that the House would not let another Session pass without effecting a total abolition of West-India Slavery. By the Earl of Darnley, from the Local Directors of the Charitable Institutions of Dublin, against the increase of Taxes in Ireland. By Lord Goderich, from Gainsborough, against the Punishment of Death in cases of Forgery:—By Lord Dacre, from the Inhabitants of Hertford, to the same effect. By the Marquis of Bute, from the Severn and Rye Railway Company, against the Duty on Coals carried Coastwise:—By Lord Dynevor, from the Magistrates of Pembrokeshire, against the Abolition of the Welsh Judicature:—By Earl Cawdor, a similar Petition, from Welsh people residing in and near London.

Counsel were heard at the Bar against Sir Jonah Barrington, and Sir Jonah was himself heard in reply. Further consideration of the case postponed.

Hickson's Marriage Annulling Bill.] The Marquis of *Londonderry* said, he wished to call the attention—the serious attention of the House, to a Petition which had been put into his hands, but which he wished had fallen to the lot of some more able individual to present—some one better qualified than he was to advocate the claims which the petitioner set forth. The Petition was from Thomas Buxton, and related to a bill respecting which evidence had already been given at their Lordships' bar, and he should, therefore, not enter into the merits of the question. The bill of which he spoke was entitled Hickson's Nullity of Marriage Bill. The subject had been brought under the consideration of the House by a right rev. Prelate, who described it as a case of conspiracy and abduction, and who had also spoken of it in a most extraordinary way, as a proceeding to set aside the marriage of Miss Elizabeth Hickson; now until the marriage was set aside, in courtesy they ought to have called her Mrs. Buxton. He trusted the time would never arrive when influence should obtain the concurrence of that House to any bill of that nature; and he hoped that no undue prejudice would influence their Lordships with reference to that petition. He should now merely move that it be read and laid upon the Table. The unfortunate person from whom it came had been tried for a conspiracy, the expenses of which amounted to between 600*l.* and 800*l.* and he was at the present moment confined in the gaol of Lancaster. He was unable to defray the expense of witnesses coming up. He relied upon being able to lay a case before their Lordships that should establish a claim to their favourable consideration. So strongly impressed were the counsel employed, with the hardships of his case, that they had agreed to plead for him without fees. He was sure that the case ought to receive the most scrupulous investigation. He was sorry that the petition had not been put into the hands of a noble and learned Lord —he meant the noble Earl opposite—so distinguished for learning, and who had for so many years sat upon the Woolsack in that House. Either he or the noble Earl who had so long held the Privy Seal, might probably feel a degree of interest in such a question which would qualify them to do justice to the subject. If the marriage in question were set aside, there were few marriages that could be considered secure; and he trusted that the statements and prayer of the Petition would receive the attention to which it was justly entitled. The Petition prayed that the Bill might not pass their Lordships' House.

The Bishop of *London* said, that as he had undertaken for a noble friend of his to carry that Bill through the House, as far as any individual Member of their Lordships' House could contribute to such an object, he felt bound to say one or two words in reply to what had fallen from the noble Marquis who had just addressed the House. On the first introduction of this Bill he had spoken of the act as a conspiracy, and he felt persuaded that their Lordships would not deny that he had a right so to designate it, seeing that the principal party concerned was convicted of a conspiracy. As to the term abduction, he had not used that word, and the noble Marquis had done him injustice in imputing the use of it to him; it was certainly not a case of abduction, but it was one of conspiracy to procure a marriage, which was not regularly solemnized; and it was upon the ground of irregularity that its nullity was contended for. The young lady in question was a Miss Hickson, and to have styled her Mrs. Buxton would have conceded the very matter in dispute. He had only to add, that the Bill was put into his hands, and that he took charge of it in the absence of the noble Lord.

Lord *Eldon* said, it was not for him to determine what might be the result of this Bill. As to whether the petition would be better in his hands or in those of his noble friend opposite (who had long been his friend, and whose friendship he desired to preserve) he must be allowed to say, that if success entitled his noble friend to precedence, he had been much more successful in such matters than himself.

The Petition to lie on the Table.

GALWAY FRANCHISE BILL.] Earl *Grey* had two petitions to present which were of considerable importance, and which related to a Bill on the Table of their Lordships' House, the object of which was to remove certain inequalities on account of religion, affecting the inhabitants of the town of Galway, which unhappily still remained notwithstanding the Acts of last Session. The Petition stated in detail the grounds upon which the Petitioners applied to the House to pass the Bill. If that were the proper time, he should most readily state to their Lordships the reasons which made him a zealous supporter of a measure, the object of which was, to impart to Catholics the privileges already possessed by Protestants—a measure that so naturally followed upon the Act of last Session. One of the petitions was from the Grand Jury of the county of Galway; the other was signed by fourteen Justices of the Peace, twelve Common Councilmen, fifty-two resident Freemen, every one of whom came in under the 4th of George 1st, and were, therefore, Protestants. Besides the Mayor, Sheriffs, and Recorder, there were not above ten resident freemen who had not signed that Petition. Their Lordships would see that the Bill was not only supported by the Catholics, who might be supposed to have some interest in getting it passed, and by the whole of that portion of the empire who supported the general claims of the Catholics when they were under discussion, but the Protestants of the town of Galway themselves supported the Bill then before the House. To these observations respecting the petition he had only to add, that he should then move the second reading of the Bill. There were no objections, he believed, to its being then read a second time; if otherwise, he should name a day for that purpose, with a view to the committal of the Bill on Monday next.

The Petitions laid on the Table.

Lord Holland presented a Petition from the Parish of Kingsland, in the county of Galway, to the same effect.

The Marquis of *Lansdown* said, that a similar Petition, from the Grand Jury of the town of Galway, had been forwarded to him, and had he thought so fit an opportunity for its presentation would have offered, he should have brought it down; but he did not wish to let that occasion pass of stating that the Grand Jury of the Town held the same sentiments as those of the County.

The Duke of *Wellington*, though he did

not mean to oppose the Bill, wished the second reading to be postponed for a day or two.

To be read a second time on Thursday.

GREECE.] The Marquis of *Londonderry* said, after what had passed in the House concerning Greece on a former evening, he hoped he should stand excused in the opinion of their Lordships if he ventured to ask the noble Earl (Aberdeen) one or two questions in reference to that subject, particularly as he should do so with a view to set the House and the country right with respect to the true state of the facts of the case. He wished to put his questions in the fairest possible spirit. It might be distressing to the noble Earl to hear it observed, that particular parts of the papers upon Greece were garbled or interpolated; but, for his own part, he was not actuated by a bad spirit in his remarks, and should not hesitate to do his duty. In discharging it he did not wish to act factiously, or improperly to oppose his Majesty's servants; but he conceived that, as an independent Peer of Parliament, he had a right to obtain every possible degree of information on a subject so important. If in the published accounts of the negotiations there were points that appeared inexplicable to him without the production of further papers, he thought he had a right (and he trusted that their Lordships would be of the same opinion) to ask for a satisfactory explanation on these points. A little time back, we found Government and the Government-press running down persons who were opposed to them; and we now found what was conceived to be the Government-press attempting to run down individuals who held high and illustrious situations—Prince Leopold himself, for instance,—because they did their duty, in endeavouring to inquire into and understand the papers connected with those negotiations, and with a subject so intricate and full of contradictions (on the showing of the published documents) that without further papers and further explanations, it was impossible for any one to comprehend it. Day after day he (Lord Londonderry), and other noble Lords, had demanded further explanations from the noble Earl, and in doing so had justly complained of *ex parte* statements of the transactions having been made public, and of garbled accounts of the negotiations, which rendered it impossible, with our present information, to arrive at the actual truth and real history of these momentous transactions. He was of opinion, that during the progress of these important transactions, Austria and Prussia were inimical to the settlement desired by the other Powers, and had looked upon the negotiations with a sinister eye. That was a great point in reference to the tranquillity of Europe, and to the serious differences and wars that might grow out of such a state of things. He confessed that, looking at the entire transaction, as far as he was acquainted with it, he did not think that Austria and Prussia had been, or were now, sincerely co-operating with the other Powers, or that they heartily approved of the measures adopted by them. The noble Earl had referred him to a letter from Baron Miltitz, the Prussian minister at Constantinople, showing that Prussia had complied with the treaty. In answer to this, he took leave to refer the noble Earl to the recorded sentiments of our own ambassador on the subject. It would be found on a reference to that authority that the friendly disposition of Prussia was not so apparent. After a considerable time spent in debating the subject, the noble Earl got up and said that on his official responsibility he took it upon himself to say that it would be prejudicial to the public service to produce certain papers which were demanded. Had the noble Earl stated this at the outset, he should have felt disposed to treat the declaration with every respect, and perhaps their Lordships might have been spared the remarks that he, among others, had thought it necessary to make. Certainly he did not wish to prejudice the public service by any act or word of his. He now wished to ask the noble Earl whether he had any objection to lay before the House a copy of Sir E. Codrington's letter, addressed to the Secretary of the Lord High Admiral, dated 26th of January, 1828, and enclosing the copy of a letter to Sir H. Wellesley, bearing date 10th of October, 1827? It was his intention to move for the production of this document if the noble Earl saw no objection to the adoption of such a course. His object in doing so was to ascertain whether Austria and Prussia, so long ago as previously to the battle of Navarino, had or had not approved of the course adopted by the other Powers. With a view to determine this, he called on the noble Earl to produce papers which he conceived would make out his case, and confirm the statements he had made.

The Earl of *Aberdeen* observed, that if the noble Marquis had previously communicated to him, as it was usual to do in courtesy, the particulars of his motion, he should have been able to give the noble Lord an answer at once; but at present he was unable to say what were the contents of the paper required, and therefore could not state whether or not any objection existed as to its production. On a former occasion, the noble Lord had read an extract from a paper upon the Table with reference to the conduct of Austria and Prussia, and at the same time desired further evidence to enable him to see whether they had complied with the treaty. He (the Earl of Aberdeen) showed, by the documents upon the Table, that the treaty had been complied with; when a noble Baron opposite rose, and said there was a disagreement between these Powers. He had certainly declared then, that the production of the papers asked for by the noble Lord would be attended with prejudice to the public service, and upon that ground had refused to comply with the motion.

Lord *Holland* understood the noble Marquis to mean, that although the official assurances of Austria might give rise to an idea that she cordially concurred in the course adopted with respect to Greece, he (Lord Londonderry) had reason to think other papers were withheld which, if produced, would give a different colour to her conduct. The noble Marquis said, as yet we had only an imperfect statement of these transactions, and in order to form a correct judgment, we should have all the acts and proceedings of the Powers in question. This was the original line of argument which had been taken up when the matter was first broached. Since then, he thought it would appear, on a narrow examination of the published documents, that there were good grounds to conclude, from the papers themselves, that the conduct of Austria had not been satisfactory. In a despatch annexed to the protocol of the 15th of June, 1828, and addressed by Count Nesselrode to Prince Lieven, was this expression—" Austria herself, by overtures of which I will treat in a separate despatch, manifests a visible tendency to draw nearer to the Courts which have undertaken to restore peace to Greece, and expresses no intention of supporting Turkey." It appeared from this that Austria, in the opinion of the writer, was not originally disposed to draw very near to the other Courts in the matter; and it would also seem from the phrase, " expresses no intention of supporting Turkey," that she had once entertained such a design. That placed what were called the " assurances" of Austria in a different light with respect to credibility, and we ought not to have those assurances, if documents were withheld which might show them to be insincere. Again, in another despatch, from Count Nesselrode to Prince Lieven, it was stated, " We have already had an opportunity of declaring, that if our Allies should judge the independence of Greece necessary, we shall not object to it." He saw the great objection to producing the memorandum here referred to. He had maintained no decided opinions as to the conduct of Austria; but when he heard the noble Marquis state that Austria differed from the other Powers with respect to Greece, he must admit that there was some reason for suspicion as to the conformity between the acts and " assurances" of that Power.

The Marquis of *Londonderry*.—With respect to what the noble Earl said as to placing the motion in his hands previously to making it, he did not see much advantage to himself in that course, which, however, he had adopted only the other day, when the noble Earl first told him that he would give the papers required, but two days afterwards declared that he would not.

The Earl of *Aberdeen*.—The noble Marquis entirely misunderstood what had occurred. He assured the noble Marquis that he was quite mistaken; there was no promise to produce the papers; he merely said that he should take two days to consider whether or not it would be proper to comply with the request of the noble Marquis.

The Marquis of *Londonderry* had understood the noble Earl distinctly to promise the papers, but in future he would be more careful not to mistake. It was notorious that the Prussian Envoy, to whom he had before referred, was strongly in the interest of the Turks. He apprehended that he was pretty correct in his statement, that no such information of the co-operation of Prussia existed at the period to which he referred, although it was mentioned in the papers upon the Table. Whether afterwards any inquiry was made at the Court of Berlin, and whether the Prussian Envoy had or had not then presented the note, were points with which, no doubt, the noble Earl was acquainted. They might come out hereafter, but he, (Lord Londonderry) contended that he had a right to be satisfied that the co-operation of Austria and of Prussia was such as was asserted in the documents before the House. If the noble Earl did not produce the letter of Sir E. Codrington, he would, no doubt, make out a sufficient case for withholding it; and it ought never to be forgotten, that if Austria and Prussia did not co-operate in the measures regarding Greece, their non-co-operation would be the germ of future differences, and perhaps wars, of which no man could predict the result. It had been the most earnest wish of the lamented statesman, his near relative, to preserve all the principal Powers in one sentiment with respect to all the great transactions of Europe; but from that line of policy those who followed him had diverged—how wisely, remained to be seen. He was aware that he differed from the noble Baron opposite (Holland)—he was a Turk and that noble Baron was a Greek. "When Greek met Greek, then came the tug of war;" but he knew no reason why he and the noble Baron should entertain the slightest hostility, for here only Turk met Greek, and between them all was now peace and harmony. Whether Greek or Turk, it was clear that the papers were not as full and complete as they ought to have been. He would now place his motion for additional documents in the hands of the noble Earl, and he hoped in courtesy to be informed whether he would produce what he contended would make out his case.

FEES ON THE DEMISE OF THE CROWN.] The Earl of Darnley moved that the abolition of Fees on the Demise of the Crown Bill be committed, and gave notice that he would move to insert a clause exempting from the payment of fees the inferior officers of the Army.

The *Lord Chancellor* said, that as the clause which the noble Earl mentioned was in addition to one which he (the Lord Chancellor) was about to propose, he thought the best course would be for their Lordships to go into committee *pro formâ*, and that the Bill, with these amendments, should be printed, and afterwards re-committed. He had certainly no objection to the exemption of officers in his Majesty's service from the payment of fees. His clause did not refer to that class of persons. He thought it right, in justice to the Lord President of the Council, to say, that his noble friend had no desire of gaining any advantage from these sources. The same statement he could make in respect to the Lord Privy Seal; and on his own part he disclaimed any such wish or intention. He only wished that those inferior officers who had particular duties to perform should receive adequate remuneration; and he also felt it his duty to protect those who had vested interests or freehold rights in their offices, and to see that they received a proper compensation. He knew of no instance of any bill introduced, either in that or the other House of Parliament, for the benefit of parties, or of the public, which did not provide a compensation for individuals whose estates or rights it affected. He would observe, that the clause which he proposed applied only to persons at present holding offices, and not to those who should hereafter be appointed. He should propose that these clauses should be introduced in the committee. Their Lordships would not at present be called upon to pronounce any opinion upon them. The Bill would be printed, and afterwards come before them for further consideration.

Their Lordships then went into Committee on the Bill.

The Duke of *Wellington* remarked, that four-fifths of the expense of the fresh commissions made out for officers in the army, consisted of stamp duties, and from these the parties would be relieved: they would only have to pay a few shillings for the trouble of making the copy of the old commission with the slight but necessary changes.

The Amendments agreed to, and the Bill reported to the House.

HOUSE OF COMMONS.

Monday, June 14.

MINUTES.] Returns ordered. On the Motion of Mr. C. FERGUSON, the number of Causes, &c. set down before the three Equity Judges on the last day of sittings after Easter-term, 1826, and on the last day of sittings after each subsequent Term to Easter, 1830, inclusive.

The Militia Ballot Suspension Bill was passed.

Petitions presented. For a reduction of the Duties on Colonial Produce, by the Marquis of CHANDOS, from Merchants of Glasgow:—By Lord MILTON, from Merchants at Leeds:—By Mr. LAWLEY, from the Chamber of Commerce, Birmingham. For the Abolition of Slavery, by Lord MILTON, from Huddersfield and its vicinity. Against Stamp and Spirit Duties (Ireland), by Lord A. HILL, from the Freeholders of Down:—By the Earl of MOUNTCHARLES, from Landed Proprietors of Donegal:—By General HART, from the Corporation of Londonderry. Against the Vestries Act (Ireland), by Lord A. HILL, from the Protestants of Sea-Patrick. Against introducing Poor-laws into Ireland, by the Earl of MOUNTCHARLES, from the Freeholders of Donegal. In favour of the Northern Roads Bill, by Mr. A. CAMPBELL, from the Chamber of Commerce, Glasgow. Against the Bill, by Lord LOWTHER, from Stevenage:—Against the Half-pay Apprentices Bill, by Lord STANLEY, from

Inhabitants of Manchester. For a Reform in Parliament and complaining of Distress, by Mr. PENDARVIS, from the Freeholders of Cornwall. For Assistance to Emigrate, from Great Wigston, Leicester, by Mr. W. HORTON.

SUPPLY.—CASE OF THE WEST-INDIA PLANTERS.] The Chancellor of the Exchequer moved the Order of the Day for the House to go into a Committee of Supply for the continuance of the Sugar Duties.

The Marquis of *Chandos* was desirous of drawing the serious attention of the House to the state of distress to which the West-India colonies were reduced, and the burthen under which they were at present labouring. This principally arose from the very great duty on sugar—a duty so enormous and disproportionate to the value of that article, that, unless some reduction were immediately to take place, it would be impossible, he considered, for the West-India planter longer to bear up against it. The war duty existed at the present moment, and no substantial relief had been afforded to this important branch of commerce since the time of war, when extraordinary sacrifices were naturally expected to be made. The same duty of 27*s*. per cwt. remained undiminished at the present time, which with the other burthens imposed on the planters, and the flat state of the markets, had almost ruined them. On other articles of colonial produce a reduction of duty had taken place, and it had been followed by an increased consumption, causing no diminution in returns to the Revenue. To the article of coffee he would refer to show the advantage of a reduction of duty in increasing the consumption. Some few years ago, when it paid 1*s*. duty, the consumption was limited; but no sooner was the duty reduced to 6*d*. than the consumption rapidly increased, and had continued to increase up to the present period. If this beneficial result was apparent with respect to coffee, why, he would ask, should it not be so with regard to sugar? If some relief were not afforded, the whole of the plantations must go to ruin; many were now on the eve of being thrown up; and such was the state of distress to which the planter was reduced, that he knew many instances of planters who had, in order to lessen their expenses, been obliged to recal their children from this country, whither they had sent them for their education. A reduction of duty on their chief produce would save them from ruin, and be a benefit to the people at large of this empire. On this principle he called on the Chancellor of the Exchequer to make a large reduction in the duty on sugar. He called, too, on all those Gentlemen who had obtained seats in that House through West-India property, and he knew that there were many, to assist him in relieving that interest, now sunk to the lowest ebb. He called, too, on all the agriculturists of England, and many of them had obtained their land in England by property acquired in the colonies, to assist him in relieving their fellow-sufferers in the West Indies. The noble Lord concluded by moving, as an Amendment to the Motion that the House do resolve itself into a Committee of Supply—"That the duty of 27*s*. per cwt., which has been for several years past levied on British colonial sugar, is inconsistent with a due consideration of the present depressed state of the West Indies, and is injurious to the general interests of the country."

Mr. *Marryat* begged to second the proposition of the noble Lord, and to thank him for the zeal and ability with which he had introduced it. He was convinced that the most effectual relief which could be given to the West-India planters was by a large reduction of duty. Their distress had been acknowledged by all parties; and their claims for relief, though admitted by the right hon. the Chancellor of the Exchequer, had, nevertheless, been continually deferred till a more convenient season. Among the items of casual revenue accruing to the Crown, were the confiscated estates in Grenada, which paid into the Treasury, on the average of five years, 900*l*. per annum. Last year, however, instead of paying any revenue, the consignees had a claim on the Treasury; the proceeds of the crops having fallen short of the expenses of cultivation. Hon. Members, however, would be pleased to hear that these now unproductive estates had been granted, by an act of royal grace, to the families of the original proprietors: and therefore would not become a charge upon the country. If estates like these, without incumbrance, could not pay the expenses of cultivation, what must be the situation of those properties, the owners of which, in addition to paying the interests of mortgages, had to maintain themselves and families? The case of the West-India planter was one not of mere distress, but of absolute annihilation. Would it be believed, that notwithstanding this distress, taxes, in the shape of restrictions, were still exacted from the planter for the benefit of other interests? He paid a tax in the monopoly granted to the fisheries of Newfoundland, from whence alone he could obtain fish, the principal food of his negroes: he paid a tax, too, by being obliged to receive his timber and flour from the British provinces in North America, instead of through the foreign West Indies, or directly from the United States: he paid a tax also in being compelled to receive from Ireland his salt provisions, instead of getting them from Hamburgh or the United States of America: he further paid a tax in being restricted to Scotland for his Osnaburghs, and clothing for his negroes; instead of having access to the whole continent of Europe: he paid another tax still, of fifteen to thirty per cent levied upon all articles imported from foreign countries, necessary for the cultivation of his estates: he paid another tax in being restricted from improving his commodity by manufacture, being obliged, for the benefit of the British refiner, to ship his produce in the most bulky state. Finally, he paid a tax, by being compelled to ship his produce for this country by British vessels, when he might obtain a cheaper conveyance in foreign ships. The taxes which he had thus briefly enumerated were nothing less than bounties paid by the planter, and not by the nation, for the encouragement of the fisheries of Newfoundland, the provinces of British North America, the agriculturists of Ireland, the linen-manufacturers of Scotland, and the British ship-owner. The extra expenses of cultivation resulting from these restrictions might be estimated at 5*s.* per cwt. upon the gross crop of the British planter. The extra freight paid by British ships might amount to 2*s.* more. The indirect taxes upon his cultivation, thus paid by the West-India planter, amounted to no less a sum than 1,000,000*l.* sterling per annum. The colonies were thus paying an extravagant price for what were miscalled colonial privileges. The most important privilege in return for these restrictions, was the monopoly of the home market for the produce originally granted under an implied compact between the mother country and her colonies. This compact, however, was violated on the part of the mother country, when she admitted the produce of the ceded colonies, at the conclusion of the late war, into the home market. It was still more strikingly violated a few years ago, by the similar admission of the sugars of the Mauritius. The effect of these measures had been, to increase the importation of sugar beyond the consumption, to the extent of 500,000 hogsheads annually, and this was the real cause of the distress of the British planter. Nor could it be alleviated until an increasing consumption should have absorbed this surplus. He contended, as the privileges, in return for which the present restrictions were imposed on the colonies, had, through the measures of the mother country, ceased to be of any value, that it was but equitable either to remove these restrictions, or to give in lieu of them some adequate compensation. Upon the grounds of justice then, as well as of expedience, the West-India planter had a strong claim for relief; and the most effectual and permanent mode of giving that relief was, by a large reduction of the present duty on sugar, which, by increasing the consumption, would be the means of gradually taking out of the market that surplus above the demand which deteriorated the price of sugar.

The *Chancellor of the Exchequer* felt he was placed in a peculiarly embarrassing situation by the motion just made. Circumstanced as he was, if the noble Lord persisted in his motion, he must be compelled to meet it with a direct negative. The House and the noble Lord were aware of the very considerable revenue arising out of these duties, and that if they were repealed, or even reduced in amount, it would be necessary, though extremely difficult, immediately to replace the deficiency by some other tax or duties. If it were now a question to take off taxation, he would acknowledge that the West-Indians had a fair claim for consideration; but it must be remembered that the House had already in its wisdom determined on effecting considerable reductions of taxation, and had thus decided that there were other branches or departments in which relief from its pressure was more indispensable than in that particular class of the community. The majority of persons in that House, too, believed that in this instance they had gone as far as they ought to go, and had pressed reduction to its utmost limit. With the sincerest wish to assist in relieving any class, whether the agricultural, the manufacturing, or the commercial, when labouring under difficulties, it was always his duty, in thinking what could be done to alleviate their burthens, to keep in mind that the general interest of the nation demanded that there should be no inadequacy in the produce of the taxes to meet the yearly engagements of the State, to maintain public credit, and provide for our national safety. No real benefit to any class could result out of measures which were adopted without a due regard to these great and paramount objects. For these reasons he must oppose the Motion; but had the noble Lord allowed him to go into the committee, he would have found that he was about to introduce something which might render his Resolution unnecessary, and be a very desirable and effectual relief to the West-India planter. He should for the present state, that he intended in the committee to move that an alteration should be made in the scale by which the duty was now levied on sugar, and by which a great reduction of duty would be effected. His plan was, when the average price of sugar was 30*s.* per cwt., to reduce the duty on all low-priced sugars, beginning with those which were 1*s.* above the average, which were to have a reduction of duty amounting to 1*s.* 6*d.*, and proceeding down to the lowest-priced sugars, the reduction of duty on which would be 7*s.* The duties, as they were now levied, were most severely felt upon the lower qualities of sugars, and it was of their operation in this respect that the West-India planters more immediately complained; he, therefore, believed this would be a measure which would go far to satisfy the wishes and wants of the West-India interest. The mode in which he intended to make provision for the deficiency which would be thus occasioned in the Revenue, making a due allowance for the effects of an increased consumption of sugar, in consequence of the reduction, he would take an early opportunity of stating to the House, in another stage of the proceeding. Thus much he felt himself called on now to state, in order to show, that though he was obliged to resist the motion of the noble Lord, yet he could not justly be charged with being indifferent to, or unmindful of, the sufferings or distressed situation of that interest in the State which the noble Marquis said had at present most reason to complain, and to shew generally that his Majesty's Government was at all times disposed to do all in its power to alleviate the distresses of any class which might be compatible with the true interests of the State, and the maintenance of our public credit, and our national security.

Mr. *Hume* wished to know whether this reduction was to reach other sugars than those imported from the West-Indies. It would be more desirable that a reduction of duties on East-India sugars, for instance, should be made than on West-India sugars;—at least he thought so.

The *Chancellor of the Exchequer* replied that he would explain his views in the committee.

Mr. *Baring* hoped the noble Lord would not press the House to a division on the subject. It would be more wise to withdraw the Resolution, and consent to go into the committee, to learn what was the project of the right hon. the Chancellor of the Exchequer.

The Marquis of *Chandos* said, he was so circumstanced with respect to the interests, which he represented in that House, that he would on no account consent to withdraw his Resolution.

Mr. *Huskisson* said, he had long been of opinion, that the reduction of duty on sugar might be effected without a great diminution of the Revenue; yet he certainly thought, in a case like this, where a Minister of the Crown had risen in his place, and announced to the noble Lord that he had a plan to submit, which very closely resembled that on which they were about to divide, it would be only consistent with the usages of Parliament to permit that Minister to go into the committee, to put the House in possession of the plan contemplated by Government. Besides, the Resolutions could be mooted in a much more convenient form in the committee than in the House. In the former his right hon. friend could produce the measure, and have the Resolutions at least printed and circulated amongst the West-India interest and planters. He feared, however, that even the reduction of the duties would fail to alleviate the distress complained of, which had its source in far other causes than the Legislature had power to reach—the new and altered circumstances of the world around them, and the new rivals who had sprung up to compete in a trade once almost exclusively their own.

Sir *Alex. Grant* also recommended his noble friend to withdraw his Motion. He thought the principle of the Chancellor of the Exchequer's plan better calculated to give relief to the most suffering class of West-India proprietors than a general reduction of duty. He did not mean to say that the scale of relief was quite sufficient, but he thought the principle a good one. If his noble friend did not withdraw his Motion, he must, however reluctantly, vote against him. For he could not vote against hearing the proposition of his right hon. friend.

Mr. *Keith Douglas* knew that his noble friend could not consistently with his duty to the West-India proprietors, to whom he was pledged, do otherwise than submit his Resolution to the House. If his noble friend should think it was his duty to divide the House on the question, he would certainly vote with him.

Mr. *C. Grant*, having previously given a notice on the subject of the sugar duties, the object of which would be to reduce them, should certainly, under any other circumstances, not be sorry to support the motion of the noble Lord. But on the present occasion he must differ from him because it was unfair and unparliamentary when a proposition was announced by a Minister of the Crown not to allow him to state it. By pressing the motion to a division the noble Lord would compel him to vote against him—while by allowing the House to go into a Committee, he pledged himself to nothing. He hoped the noble Lord would not therefore prejudge the case. With respect to the loss to the Revenue by a reduction of duty, his opinion was perhaps different from that of the Chancellor of the Exchequer; but that was with him a reason why he wished to hear his right hon. friend's statement. It would be very unfair not to allow him to make that statement. His right hon. friend by his proposition, admitted that the West-India interest required relief; and he thought the noble Lord should place himself on the vantage ground which would be given him by listening to the concessions of his right hon. friend. For his own part, he was afraid that the proposition would not go so far as he wished. His right hon. friend said nothing of any other sugar than West-India sugar —nothing of the Mauritius sugar—and nothing of that very important, and, in his opinion, necessary subject—the introduction of sugar of all kinds under bond, to refine it for exportation without paying any duty or drawback whatever. He wished, however, that the Resolutions of the right hon. Gentleman should be made known and printed, so that the West-India interest and the public at large might be made aware of his intentions. He therefore should resist the Motion of the noble Marquis, in order to allow his right hon. friend to make his statement.

Mr. *Manning* regretted that the relief intended by the Chancellor of the Exchequer should have been deferred till the evil was, he was afraid, almost past cure. It was well known to every individual that the West-India planter had been labouring under the severest distress for the last four or five years; and every class of his fellow subjects had been relieved by reduction of taxation, while he continued to pay the heavy war-duty of 27*s*. per cwt. on his produce. No attention had been paid to his situation or difficulties, his prayers and his petitions had been neglected, till ruin had overtaken him, and estates were given up from the extreme pressure of the times. His right hon. friend, the member for Liverpool, adverted, among other causes of distress, to the introduction of the Mauritius sugar. It was with no unkind feeling that he took the liberty to remind his right hon. friend, that this very prejudicial measure to the old colonies took place, when he himself was President of the Board of Trade. He then stated to the West-Indian deputation, that "the quantity likely to be received from the Mauritius could never exceed 10,000 or 12,000 hogsheads;" whereas, in the last year the importation was 25,000, and in the present year would probably be 40,000 hogsheads. According to the latest information, every acre of ground, in that settlement had been devoted to the cultivation of sugar, and the colonists there had ceased to grow even their own provisions, importing from Madagascar both grain and cattle. The noble Lord who had proposed the Resolution to the House, was eminently entitled to the support of every person connected with the colonies, for the unwearied attention he had paid to their interests. If, therefore, he should think fit to press his Resolution to a division, it should certainly receive his vote.

The House divided, when there appeared —For the original Question 102; Against it 23—Majority 79.

The House resolved itself into a Committee of Ways and Means.

Sugar Duties.] The *Chancellor of the*

Exchequer then rose and said, that he thought it advisable to make a statement to the Committee on the subject of the Sugar Duties. The bill regulating those duties must be soon brought under the consideration of Parliament, and he should proceed to state to the House, without preface, the measure he should recommend for its adoption. He had the misfortune to appear to the West-India interest, in the performance of his duty in that House, as if he did not feel for the difficulties under which that interest laboured, though he knew that on it the sugar duties pressed with great severity. He could, however, assure the House, that he personally felt the extent of those difficulties; and was ready, consistently with his duty, to do what was in his power to lighten them. He had been long made sensible of the unfortunate situation of the West-India proprietors. The motion of the noble Lord, which he had felt it necessary to resist, was for such a reduction of duty as he could not consent to without risking such a portion of the Revenue as might endanger the national credit. He felt it, therefore, impossible to accede to the motion of his noble friend. The proposition he should have to propose was much more limited. After making such very large reductions in the Revenue as had lately been made—such a veiy large reduction of taxation, that it was thought by some persons that he had gone a great deal too far—he could not hazard any very great further reduction without danger. That reduction had been made to give relief to a very suffering class of persons. He was well aware that by reducing the duty on sugar there would be great additional consumption; and as he knew that sugar, instead of now being, as it formerly was, a luxury, had become almost a necessary of life for the lower classes, he should have been very willing to reduce the duty on it, had he not, in order to give that class relief, previously reduced duties to a very great amount on articles which contributed even more to their comfort than the reduction of the duties on sugar. The interest of the grower of sugar would also, he was well aware, be benefitted by such reduction of the duty on sugar as would promote its consumption. He meant, therefore, to propose such a reduction as he thought best calculated to give relief to the grower of sugar, and promote its consumption, without injuring the Revenue. The estates, which produced sugars of the finest quality were, he was informed, not in such a bad situation as those which produced the coarse sugars. He had received from an hon. friend of his, whose knowledge on this subject was both extensive and accurate, the particulars of two estates of the same extent, and cultivated by the same number of negroes; but one produced the finer kinds of sugar, and the other the coarser. If the House would allow him, he would state in detail the particulars of these two estates. Both estates produced 150 hogsheads each. In the first case—the estate which produced the fine sugar—the 150 hogsheads sold for 66*s*. per cwt. and the gross sum they fetched was 6,438*l*.; the rum was sold for 4,131*l*.; the total gross produce selling for 10,569*l*. The first charge on it was the duty to the Crown, which, on the sugar, was 2,630*l*., and on the rum 3,340*l*.; the addititional charges the proprietor had to pay, such as insurance, freight, commission, &c. amounted to 1,160*l*. The charges in the island, called Colonial charges, amounted to 900*l*. The negro clothing and food, and other expenses, amounted to 600*l*., making together a sum of 1,500*l*. The whole charges on the 150 hogsheads left the proprietor a profit of 1,939*l*. This was, he was aware, a great fall from the very high prices and large profits which had formerly been obtained for West-India produce; but when he compared it with the fall on every other species of property, on land, on mortgages, &c., he could not think the fall in this instance was so great as imperatively to call for the interference of Parliament. In the second estate to which he wished to call the attention of the House the sugars produced were all of inferior qualities, and produced on an average about 46*s*. per cwt. Without going into a detail of all the charges of duty, cost of production, and other disbursements, he thought a simple statement of the result would be sufficient to show how far the Government had sufficient ground, from the return, to justify that mode of alleviating the distresses of the West-India planter which it now intended to propose. This estate produced 150 hogsheads of sugar yearly, and the whole income obtained from it by the proprietor was something short of 100*l*. yearly. The Government, although unable to afford that general relief which the situation of the great body of the West-Indians demanded, considered, however, that it had here an ample field in which it might attempt to give some partial relief without affecting the interests of any others who might be entitled to claim equal consideration. The way in which he intended to effect some relief was this:—On every hundred weight of sugar a duty of 27*s.* had hitherto been collected, without any regard to the quality of the sugar. Undoubtedly this method of taking the duty presented great advantages as regarded the collection of the revenue, or the prevention of any fraud by substituting one sugar for another; and he was only induced to depart from the system which prevailed, by an anxiety to afford the West-India interest such a temporary relief as would form an advantage to them at present, and be a guide to the Government, enabling it to attain, with less risk and more certainty, a satisfactory result from any further reduction of the duty which it might think proper hereafter to propose. The measure, therefore, which he was about to propose would be both temporary and experimental. It was well known to many of the Gentlemen around him, that the price of sugars in London was published in the Gazette upon the average of each weekly sale in the London market, He proposed, then, that when the average price was 30*s.* that then there be paid on all sugars that do not exceed that price by 1*s.* a duty of 1*s.* 6*d.* less than the 27*s.*, or, in other words, a duty of 1*l.* 5*s.* 6*d.* That on sugar of less value than 30*s.* by 3*s.*, there shall be paid a duty of 1*l.* 4*s.* That on sugars of less value than 30*s.* by 4*s.* there shall be paid a duty of 1*l.* 2*s.* 6*d.*; and that when the sugars were of less value thun 30*s.* by 5*s.*, then there shall be paid a duty of 1*l.*, making the duty on a sugar which cost 25*s.* only 20*s.*, and a reduction of duty on the lowest-priced sugar of 7*s.* per cwt. If he were told that this plan presented so many difficulties as to render it likely the attempt to carry it into effect would produce a loss to the Revenue, his answer was, that although he might calculate upon some artifice being used to produce a depression in the price of sugars, yet he did not apprehend it would be such as to cause any material loss to the Revenue. With regard to the selection of the low-priced sugars for the purpose of a reduction of the duty, he might observe, remembering too the question put to him by the hon. member for Aberdeen, that as the East-India sugar comes into immediate competition with the higher-priced West-India sugars, so long as that competition continued, it would not be necessary to adopt any measures for producing a reduction in the duty on it. To do so, in fact would be unfair to the high-priced West-India sugar. Those sugars, however, on which a reduction of 7*s.* of duty would be made, were those which came most into consumption among the great body of the people; and he fully expected that this reduction of 7*s.* would make an increase in that consumption of at least one-third, which increase would compensate in some measure for the loss of the duty. It would also enable the House to ascertain, by way of experiment, how far the reduction of duties on an article of extensive consumption among the lower classes, and of which they had enjoyed till now the means of obtaining but a very moderate supply, might justify it in making still further reductions without any great injury to the Revenue. The principle of lowering duties, and thereby increasing the revenue by adding to the consumption, was one which he was at all times anxious to see carried into effect, wherever it could be done without permanent injury to the Revenue of the country. It was necessary, however, to admit at once, that although he calculated on an increased consumption producing some increase of duty, yet, as the whole of the duty thus given up would amount to 350,000*l.* or 400,000*l.*, and he could not calculate on more than one-half of that being returned, there was still a deficiency of 200,000*l.* to be made good. As that sum, therefore, must be taken from other sources to make up the estimated amount of the year's Revenue, he thought he should be dealing more fairly with the House to state now the method by which he proposed to make good the deficiency. Relying on the increased consumption producing one-half, he thought the remainder could be found in some modification of those duties which he had announced as his intention, at the commencement of the Session, to impose on English, Scotch, and Irish spirits. It would be recollected that he stated the new duty to be 1*s.* on English spirits, and 2*d.* on Scotch and Irish. Since that time, however, the hon. member for Carlisle had suggested that the great difference between

Scotch and English spirits, created by this duty, would tend much to increase smuggling. He (the Chancellor of the Exchequer) confessed that this objection had a great effect on his mind; and subsequent inquiries had satisfied him that the method of doing justice to all parties would be to impose a duty of 6*d.* a gallon on Scotch and Irish spirits, and at the same time to put a duty of 6*d.* also on English spirits, and also on rum, so as to place the whole of the Colonial and British spirits on the same footing. From this alteration he confidently calculated upon an additional revenue of 200,000*l.* He might be told by some persons that he was favouring too much the West-India interest by this arrangement. The Colonists, on the other hand, might say he had not gone far enough. To those who complained of the boon to the Colonists he would say, that he was conferring a temporary benefit for the relief of an interest suffering under a great and partial depression. To the Colonists he would say, that he had made as much concession to their interest as was consistent with a due regard to the claims of others; and he fully expected that the effect of these measures would be productive of prosperity to all classes. He had only to add that his right hon. friend at the head of the Board of Trade would in a short time state what he proposed to do with respect to that other branch of the subject which was connected with the refining of sugar, the Act for regulating which would expire at the end of the present Session.

On the question that the Resolutions be read,

Mr. *Charles Grant* expressed a hope that the Chancellor of the Exchequer would not push forward the discussion on such important Resolutions as these, without sufficient time being allowed for considering them. It would be better, he thought, to print the Resolutions, and fix some day for the debate to be taken on them.

The *Chancellor of the Exchequer* said, that in the ordinary course the resolutions would be printed immediately after they had been reported to the House. He had no objection to comply with his right hon. friend's request; but the difficulty he felt was one of time, because the Sugar Duties Act would expire on the 5th July next, and he was anxious to get through some of the preparatory stages of the alterative measures as soon as possible. He thought the House might permit him to report the Resolutions; and when they were printed, to take the discussion on a future day.

Mr. *Bernal* begged the right hon. Gentleman to recollect that the plan contained in these resolutions came by surprise on the House, and was perfectly novel to almost all the Members. He hoped, therefore, that time would be given to thoroughly sift and examine them, before they were called on to decide that they should be adopted.

The *Chancellor of the Exchequer* repeated his willingness to allow full time for the proper examination of the resolutions; but he thought that could be done quite as well if the resolutions were now passed through the Committee.

Mr. *Huskisson* said, that it was quite impossible that the Committee could understand the nature of these intricate Resolutions without much consideration. The ascending and descending scale of duties was peculiarly intricate, and he thought it would be much better to have them printed, and adjourn the discussion until that day week. The right hon. Gentleman had explained a portion of his plan, but he had forgotten to say anything on the subject of drawbacks—a question intimately connected with the intended alteration. The right hon. Gentleman should also recollect, that the scale of duties on spirits was totally different from what he had stated at the commencement of the Session. In point of fact, the duty which was to have been 1*s.*, was now to be 6*d.*, and an additional 6*d.* was to be laid on rum—a spirit on which the present rate of duty in Ireland amounted almost to a prohibition. It was a very questionable matter, too, whether the measure of the right hon. Gentleman would operate as a relief to the West-Indians. The most distressed of the West-India islands were our old colonies, which produced very little of that kind of sugar on which the right hon. Gentleman proposed to reduce the duty; while the least-distressed colonies—such as Demerara and others—sent to this country a vast quantity of that very kind of sugar. However good, therefore, the right hon. Gentleman's plan might be in principle, it was extremely doubtful whether it would not fail altogether in practice. He did not state these circumstances as objections to his right hon. friend's plan, but as considerations which should induce him to consent to the delay.

The *Chancellor of the Exchequer* pledged himself to explain the question of drawbacks fully at another opportunity. The only ground of objection he could have to the proposition of his right hon. friend was the evil of delay.

Mr. *Hume* objected strongly to the temporary nature of the right hon. Gentleman's measure. All alterations of taxation produced a change in the quantity or quality of production. This plan would cause the coarser kind of sugars to be extensively cultivated in the colonies, and the consequence would be, that if the right hon. Gentleman found his temporary plan did not answer, he would step in with some alteration ruinous to those he now encouraged. If the principle were good, he saw no reason why it should not be permanent. He objected, however, to all legislation for peculiar interests. The East-Indians were as much entitled to protection as the West-Indians. They had abundance of the coarser sorts of sugars, which they were prevented from exporting. All they wanted was a fair opportunity of competition, and he hoped that the right hon. Gentleman would see the propriety of making a very considerable reduction in the 27*s.* duty, if he did not abolish it altogether.

The *Chancellor of the Exchequer* again expressed a hope that he might be permitted to forward the resolutions a stage. The drawbacks he would explain in the Committee.

Mr. *Bright* said, that whatever might be done, he hoped the Resolutions would be re-committed.

Mr. *Charles Palmer* stated, that he would move in that Committee that the duties on sugars imported into Ireland be reduced one-half.

Mr. *John Wood* said, that of all those connected with the trade in sugar, no class was so much distressed as the sugar refiners, and he hoped that they would not be forgotten in the Chancellor of the Exchequer's arrangement. For six months in the year they were compelled to pay a high scarcity-price for the raw material, in consequence of the course pursued by the West-India merchants; and he trusted that the West-India interest would not be protected at the expense of the sugar refiner. That interest could not be protected against the fall of prices on the Continent, and as long as our Colonies produced a greater quantity of sugar than this country consumed, it was obvious that its price here must be regulated by the price of sugar on the Continent. The total importation of sugar every year was four millions of hundred weights. Three millions and a half of this were consumed at home, and the other half million or about one-eighth of the whole, was exported. It was obvious that the price of sugar must be regulated by the price of that exported, and that the interest of the West-India planter would not be at all affected by allowing foreign sugar to be brought into this country to be refined. He trusted, therefore, that the new arrangements would introduce some regulations to leave the sugar refiners less at the mercy of the West-India interest, for their property had already suffered a sufficiently alarming depreciation.

Mr. *Keith Douglas* hoped, that the discussion on the subject of the Spirit Duties, including the imposition of the additional duty on rum, would be taken at the same time as the discussion on the sugar duties, as they were a part and parcel, as well as a consequent of those duties.

Mr. *Herries,* in reply to the hon. member for Preston (Mr. J. Wood) said it was his intention at the earliest opportunity to state the changes to be introduced into the Act which regulated the refining of sugar.

Mr. *Warburton* begged to ask when the right hon. Gentleman intended to explain his intentions with regard to the Customs' Duties Bill?

Mr. *Herries* said, he had given way to the more important measures of his right hon. friend (the Chancellor of the Exchequer,) but it was his intention at an early day to bring the subject before the House.

Mr. *Hume,* after observing that the Court of Directors of the East-India Company gave themselves little trouble with respect to its affairs, begged to know if the right hon. Gentleman intended to assimilate the duties between East and West India produce?

Mr. *Herries* said, his plan did not embrace such an assimilation.

The Chancellor of the Exchequer consented that the resolutions should be printed, and the discussion taken on that day-week.

The following Resolutions were then read *pro forma.*

"That it is the opinion of this Committee, that towards raising the supply granted to his Majesty, there shall be charged the following duties upon sugar imported into the United Kingdom; that is to say,—

"Upon all brown, or muscovado, or clayed sugar, being the produce of, and imported from, the British possessions in America, or the island of Mauritius, according to the average price of brown or muscovado sugar, published in the manner directed by law:—viz.

	£.	s.	d.
If the value of such sugar shall exceed such average price by more than 1s. the cwt.	1	7	0
If such sugar shall not exceed in value such average price by more than 1s. the cwt.	1	5	6
If such sugar shall be of less value than such average price by 2s. the cwt.	1	4	0
If such sugar shall be of less value than such average price by 4s. the cwt.	1	2	6
If such sugar shall be of less value than such average price by 5s. the cwt.	1	0	0
Upon all brown, muscovado, or clayed sugar, the produce of, and imported from, the British possessions in the East-Indies, the cwt.	1	17	0
Upon all other such sugar, the produce of, or imported from, any other places, the cwt.	3	3	0

The House resumed,—the Committee to sit again on Monday next.

EXCISE ACTS.] The House having resolved itself into a Committee on the Excise Acts—

The Chancellor of the Exchequer moved a Resolution to the effect—"That it was the opinion of the Committee, that from and after the 14th of June, 1830, there should be raised and levied upon every gallon of spirits distilled in Scotland and Ireland, or found in the stock of any distiller, or taken out of warehouse for consumption, an additional duty of 4*d.*"

Resolution agreed to.

SUPPLY — COLONIAL EXPENSES.] The Chancellor of the Exchequer then moved, that the House resolve itself into a Committee of Supply.

Mr. *Huskisson*, before any vote was proposed, took occasion to say, that in consequence of the understanding that the sugar and spirit duties would occupy the House the greater part of the evening, many Members had left the House who were desirous of taking part in some of the matters which were now likely to be called on. He wished to ask whether it was intended to enter into any discussion of the Canada Bill, or whether it was intended to put it off to a future day?

Colonel *Davies* said, he had intended to make a motion relative to the superannuations, but, upon the understanding that the Committee of Supply would not be proceeded in to-night, he was not now prepared to go on with it.

Sir *George Murray* said, that he proposed to introduce several alterations and additions to the Canada Bill. It was his intention to move the second reading of it, and its commitment *pro formâ*, and the discussion might be taken upon the re-commitment.

Mr. *Huskisson* observed, that as his objections were, not to the details of the Bill, but to the principle of the measure, he did not know that he ought to suffer it to pass the second reading without a discussion. He would not, however, oppose any obstacles to the arrangement of his right hon. friend.

The House went into a Committee.

SUPPLY—NOVA SCOTIA.] Mr. George Dawson moved a vote of 10,445*l.* for defraying the charges of its Civil Establishment for the year 1830.

Mr. *Hume* said, he must call upon the Committee to join with him in resisting this vote. It was at once wasteful and unconstitutional. Perhaps the House did not know that the colony of Nova Scotia, for the Civil Establishment of which it was asked to vote 10,500*l.* had a Parliament of its own, and a Legislative Council of its own, and was very willing to pay the expenses of its own government if it were only left to itself. That the inhabitants were as able as willing to do so he held documents in his hand to prove. The first was an account presented to the Finance Committee in 1828 of the whole revenue of this colony, which amounted to 38,360*l.* He had also copies of a correspondence between the Legislative Council and the House of Assembly, in which the latter stated that it was prepared to raise whatever sum of money might be required to defray the civil expenditure, if it were only allowed to appropriate it as it judged best. But it appeared that these offers had been rejected, and that, in consequence of disputes between the Council and the House of Assembly, the latter had been dissolved, and the Tax Bills of course suspended. All this had been caused by the intervention of the government. It was a strange circumstance that the proceedings of several of the governors of our colonies seemed to have a tendency to make the products of these colonies less beneficial than they otherwise would be, and if they pursued their impolitic course they would infallibly produce a civil war. There were, however, exceptions to these governors. Sir James Kempt, when he presided over Nova Scotia, formed a strong contrast to Earl Dalhousie, who, although there were several complaints against him, was yet promoted, as if to reward him for misconduct. If the Colonial Legislature had the power of making the appointments and fixing the salaries of their own officers, the affairs of the colonies would be administered for half of what they now cost. He himself never had a doubt but that under the 18th George 3rd the principle was conceded that the colonies had a right to tax themselves. But, without agitating the abstract question of right, there could be no doubt but that some of these appointments were made upon the most extravagant scale of expense. Thus the customs were collected at an expense of full eighty per cent, and post-masters were appointed by the Post-office at home in violation of all the rights of the colony. By returns laid upon the Table of the House it appeared that in 1826 the whole amount of customs collected was 15,000*l.* while the salaries for collectors, and the charge for collection generally, was as much as 6,250*l.*; so that only 8,000*l.* or 9,000*l.* was paid into the Exchequer; for the collectors were in the habit of paying themselves first, and then handing over the residue. In the present year the whole amount of customs thus handed over was only 9,000*l.* For this there was a collector with a salary of 2,000*l.* a comptroller with a salary of 1,000*l.* two waiters with salaries of 400*l.* each, &c. The pay of the Judges, as contrasted with these allowances, was very small; the Chief Justice had only 850*l.* and the Judges of the Supreme Court 540*l.* This was an unfair depreciation of the station of the Judges. Now, among a population amounting in 12 counties to 139,540 persons (according to the return in 1826,) there could not be any great difficulty in raising the means of paying for their civil government. The hon. Member next noticed the appointment of the Deputy Postmaster of Nova Scotia by the Postmaster General here as an infraction of the rights of the colonies. He insisted that it ought not to be made an appurtenance to the patronage of any officer in this country; and the sum for which this interference with their rights was attempted was, after all, but a trifle; for it appeared that the whole amount of postage collected in the two Canadas, in 1825, was 17,000*l.*, and, in 1826, 18,000*l.*; but for Nova Scotia it was only 4,000*l.* or 5,000*l.* For all these reasons he (Mr. Hume) should propose to reduce this vote to the extent of what the Custom-house establishment of Nova Scotia cost. He had reason to know that, if the appointment of these officers was left in the hands of the Colonial Legislature, they would get the business done for less than a third of what it now cost, as a collector might be had for 500*l.* a-year, and a comptroller for 300*l.* He trusted that next year we should be able to dispense with the vote altogether. He concluded by moving that the vote be reduced to 4,445*l.*

Sir *George Murray* said, he heard with no small surprise some of the statements of the hon. member for Aberdeen. It was quite new to him that this colony had ever offered to pay its own expenses; he should be very happy to hear, from good authority, that it was in so solvent a condition; but as this was the first hint he had upon the subject, he rather feared the hon. member for Aberdeen had been reckoning without his host. In another small matter, too, stated by the hon. Member, there was a slight inaccuracy. It was said, that the differences between the Legislative Council and the House of Assembly were fomented by the intrigues of the Governor; but the fact was, that, at the very time that these discussions were going on, the Governor was at Bermuda, and the only part which Government took in the matter was, to advise a reconciliatory course to both parties, while it endeavoured to compromise their dissensions. There was, therefore, no ground whatever for inculpating Government as connected with these colonial proceedings. Allusion had been made to the conduct of the Earl of Dalhousie, whose promotion was said to be a reward for his malversations in office. He (Sir George Murray) was not in office when the last appointment of that Nobleman took place; but he recollected perfectly, that his right hon. friend, the member for Liverpool, who was then Colonial Secretary, said, that the Earl of Dalhousie had given satisfaction in his government of Nova Scotia, that there existed no reasonable ground of complaint against him, and he was therefore recommended to his Majesty to fill a higher place. With respect to the Customs at Nova Scotia there was also a trifling mistake. Hitherto the incomes of the officers had been derived, as in other colonies, from fees, but the colonial legislature thought proper to change this system into fixed salaries, which was the case at present. About this matter, therefore, there could be no dispute, as the salaries had been fixed in Nova Scotia. He hoped, therefore, the Committee would support the Resolution.

Mr. *Labouchere* was sorry the conduct of the Earl of Dalhousie had been adverted to, as it would provoke him to do that which he was always unwilling to do—to denounce the conduct of that Nobleman, whilst in his government, in the strongest terms. The right hon. Gentleman had said, that the personal conduct of the Earl of Dalhousie was found to be without blame; but that statement was made before the Report of the Canada Committee was presented, and before many things which had since come to light were known. He (Mr. Labouchere) should say, that he hoped never again to see that noble Lord sent to govern Englishmen. The militia dismissals, for example, which were his personal acts, were entirely without excuse or defence.

Sir *George Murray* observed, that he had not expressed any opinion of his own on Lord Dalhousie's conduct; he had merely adverted to the opinion which had been expressed by the right hon. member for Liverpool.

Mr. *Labouchere* was glad to hear the admission of the right hon. Secretary, as it spared him the disagreeable necessity of detailing a long list of constitutional offences which Lord Dalhousie had committed.

Mr. *Wilmot Horton* was decidedly of opinion that it was for the Crown to appoint the officers of the colony; but there was a wide difference between its appointing officers, and appointing them at the enormous salaries which had been described. If proper officers were appointed by the Crown, at suitable salaries, the inhabitants of the colony would not be justified in expressing any dissatisfaction on the subject. To appoint such officers was an undeniable prerogative of the Crown; and the executive authority ought in no case to be placed in the hands of the legislature. With respect to the expense, however, it was certainly a just subject of consideration, to ascertain how far the colony of Nova Scotia was capable of taking that expense upon itself. If it were proved that it could not, or that it could only do it partially, then the difference should be supplied by a vote of that House. It was a question of degree.

Mr. *Robinson* hoped, that on a future occasion this vote might be in great part, if not altogether dispensed with. He especially objected to the item for a vessel in the service of the Superintendent of Fisheries. Nova Scotia was essentially an agricultural country; Newfoundland, the adjacent colony, was exclusively devoted to the fishery, without any agriculture. Now he wished to ask the right hon. Gentleman why 1,500*l.* a-year was to be voted for the encouragement of the fisheries in Nova Scotia, which was an agricultural country, while Newfoundland, which was devoted to the fisheries, was left to struggle on without assistance? A few years ago 5,000*l.* had been voted for the encouragement of the fisheries of Nova Scotia—why should we add to that assistance and leave Newfoundland unaided? On these grounds he decidedly objected to the vote.

Sir *H. Parnell* observed, that 5,000*l.* had been voted for the improvement of private property in the colony, and now the money of the people of England was to be expended in maintaining its establishments. He contended that the revenue of the colony, and only the revenue of the colony, should be applied to the purposes of the colony.

Mr. *M. Fitzgerald*, while he concurred entirely with the hon. member for Newcastle, that the moment the revenue of the colony could be rendered available for the purposes of the colony, it ought to be so rendered, denied that it was justifiable thus so suddenly to withdraw the proposed grant before the condition of that revenue had been ascertained. The hon. member for Worcester was always the able and zealous advocate of the fisheries of Newfoundland; he acted as if he were the representative of that island; he objected to the grant, because its fisheries were not assisted, and therefore contended that the inhabitants of Nova Scotia were not entitled to any assistance. But, at one time the fisheries were carried on very extensively by Nova Scotia, although that colony was deprived of them by the acts of this country. All who knew anything of Nova Scotia knew that it was the interest of the colony to carry on the fisheries, and that it was most advantageously situated for that purpose. He was ready to sustain all these grants at present, but should be happy to relieve the country from this burthen whenever the colonial resources could be made adequate to the wants of the people.

Mr. *Warburton* did not deny the abstract right of the Crown to appoint to offices in the colonies, but he denied that it was expedient to exercise such a right. This country paid for it by all the money it voted, and the colonists would support these officers if they might appoint them. The appointments made by the Crown generally served to set the colony in a flame. He objected in the vote, particularly to 1,000*l.* for a college, and 2000*l.* for a Bishop. These items might seem to be small sums, but he objected to the principle on which they were granted, and should certainly resist the vote on their account.

Mr. *Maberly* objected to money being voted for the internal improvements of Nova Scotia. He could not see why the mother country should be called on to furnish money to the colonies for purposes which only benefitted themselves. Why should this country vote grants for roads, bridges, and canals, in Nova Scotia? This country was taxed 1,000,000*l.* a-year for the North American colonies—a useless expenditure, which might be saved if they were set free.

Lord *Althorp* concurred in the principle laid down by the hon. member for Newcastle (Mr. W. Horton) that it was the prerogative of the Crown to appoint to public offices in the colonies; but he also thought that the Legislative Assembly ought to be allowed to limit the amount of remuneration given to persons so appointed. In his opinion, the colony, if it were allowed to manage its own resources would be able to pay all its expenses.

Mr. *Bernal* observed, that there was always great difficulty in legislating respecting the colonies; and thought the Secretary for the colonies should be obliged to bring down to that House a debtor and creditor account, having the resources of the country on one side and its necessary expenditure on the other. Until such an account was produced he could not vote for the grant.

Sir *G. Murray* also concurred in the principle advanced by the hon. member for Newcastle, that the colonies ought to pay their own expenses for the management of the different departments. With regard to Nova Scotia, he had only to say that a measure had been introduced, the operation of which, Government had not yet time to ascertain, and in the mean time, therefore, it would be expedient to continue the grant till the result should be known. It was extremely probable that in a short time the colony would be able to pay all its own expenses, and then the grant would be no longer necessary. He was also inclined to concur with the member for Abingdon, that colonies, speaking generally, should be at the expense of making roads and bridges; but it ought to be borne in mind that while the colony was young, and unable to make the necessary improvements, it was the duty and interest of the mother country to assist it, because that was the most likely way of enabling the colony to find resources for making improvements.

Mr. Robinson explained.

Mr. *Wilmot Horton* said a few words in explanation, and expressed his determination to support the vote, because he was one of those who thought that colonies were beneficial to the mother country, and it was good policy to assist them till they could find resources for meeting every expenditure.

Mr. *Maberly* said, that the expenses of these colonies was so great, that he would persist in opposing the Motion. In order to protect them in the article of timber alone, this country had to pay nearly one million annually. If, however, the right hon. Secretary would say that this should be the last grant, he would withdraw his opposition.

Mr. *Hume* said, as Government did not seem inclined to accede to the proposition of his hon. friend, he would persist in his Amendment. He was rather surprised at the observations of the hon. member for Kerry, because they were so different from the opinions he appeared to entertain formerly on similar subjects.

Mr. *M. Fitzgerald*, in explanation, denied that his opinions had at all changed, Sir *George Murray* said, he could not accede unconditionally to the proposition of the hon. member for Abingdon, but he would do what he could to induce the Legislative Assembly to take all the charge of the expenditure on themselves.

Mr. *Hume* said, he would give a pledge that the Assembly would agree to make good all the expenses of Government, provided they were allowed to manage their own affairs.

The Committee divided—For the Amendment 59; For the original Motion 107—Majority for the Grant 48.

List of the Minority.

Althorp, Lord
Attwood, M.
Baring, F.
Bernal, Ralph
Bentinck, Lord G.
Benett, J.
Birch, J.
Brougham, Henry
Bankes, H.
Carew, R. S.
Crompton, Samuel
Clinton, Fynes
Davenport, Edward
Davies, Colonel
Dawson, Alexander
Dundas, Hon. Thos.
Dundas, Hon. R.
Dundas, Sir R.
Easthope, John
Encombe, Viscount
Gordon, Robert
Guise, Sir William
Graham, Sir James
Heathcote, Sir W.
Harvey, D. W.
Howick, Lord
Jephson, C. D. O.
Lamb, Hon. G.
Latouche, R.
Langston, J. H.
Labouchere, H.
Lester, B.
Lennard, T. B.
Lumley, Saville
Martin, John
Monck, J. B.
Milton, Lord
Marjoribanks, S.
Macauley, T. B.
Maberly, John
O'Connell, Daniel
Ord, Wm.
Protheroe, E.
Parnell, Sir H.
Philips, Sir G.
Pendarvis, E.
Power, R.
Rice, S.
Russell, Lord John
Sadler, M.
Stanley, Hon. E. G.
Tufton, Hon. H.
Thomson, C. P.
Townshend, Lord C.
Tuite, H. M.
Webb, Col.
Warburton, H.
Wood, J.
White, Colonel
White, S.

TELLER.

Hume, J.

SUPPLY.—NEW BRUNSWICK.] On the Motion that a sum of 3,600*l.* be granted for its Civil Establishment,

Mr. *Hume* said, that the receipts of that colony amounted to 36,000*l.*, and would be able to supply its own demands if it were properly managed. In fact, as long ago as 1818, the colony had expressed its willingness to meet its own expenses. The whole amount of the sum now demanded from Parliament might be spared if the Government would but reduce two or three of the officers of the colony.

Mr. *Maberly* thought, that this was even a stronger case for reduction than that which had been last under the notice of the Committee. He would just submit to the consideration of the Committee a few of the items of our colonial expenditure in this quarter in the year 1826. There was one item of 6,000*l.* for bounties on bread; then there was a charge of 16,253*l.* for roads, &c.; and for public buildings an item of 12,900*l.* On the whole, it appeared that in 1826 the expenditure amounted to 55,000*l.*, which far exceeded the revenue derived from these colonial possessions; and these people would go on, year after year, exceeding in expenditure the amount of their revenue, as long as we were obliged to defray their expenditure. He thought the right hon. Gentleman, the Secretary for the Colonies, had given, in some degree, a satisfactory pledge as to reductions generally; and he only hoped to see it carried into effect.

Sir *G. Murray* would just refer the Committee to what had been done in reference to the items of expenditure noticed by the hon. Gentleman, to show that Government had done much to cut down that expenditure. The charge for the bounties for bread in 1826 amounted, as he had stated, to 6,000*l.*; that was reduced in the year 1828 to 4,148*l.*; the charge for roads, &c. in 1826, was 16,253*l.*, and in 1828 it had been reduced to 9,773*l.* The charge for public buildings had been great in consequence of the public calamity which occurred a few years ago in that colony; he alluded to the fire which had raged to such an extent, and had produced such destructive consequences there. Without giving any pledge beyond what he had already given, he should say, that the same principle which he promised to apply to the expenditure of the last colony which was under the consideration of the Committee should be applied also in this instance. This colony was rapidly recovering from the effects of the calamity to which he had alluded, and it would soon be able to defray its own charges.

Mr. *Hume* objected to the large salaries of the Commissioner and the Surveyor of Crown-lands in the province, and to that of the Secretary and Clerk of the Council. He should take the sense of the House on the salaries of these three officers, who received together a sum of 1,660*l.*

Sir G. Murray said something across the Table to the hon. Member, which was inaudible in the gallery.

Mr. *Hume* answered, that as the right hon. Gentleman had given something like a pledge on that subject, he would not press the question to a division.

Vote agreed to.

SUPPLY.—BERMUDA.] On the Resolution for granting 4,000*l.* for the Civil Establishment of the Island of Bermuda,

Mr. *Robinson* objected to the high salary given to the Colonial Secretary there. It was greater than in Newfoundland, and some other of our colonies.

Mr. *Maberly* should not object to this vote, as he considered this was an exception to the other colonies.

Mr. *Hume* observed, that the Customs in this colony were not twice as much as the sum charged for collecting them. Besides this, the House did not know what the revenue was. The Customs were stated at 4,850*l.*, and of that sum 2,490*l.* were paid for the charges of collection, and the remaining 2,370*l.* was paid over as the nett produce of the Customs, so that it appeared there was a charge of 100 per cent for the collection. The salary of the Collector of the Customs was on the same footing with that of the Chief Justice, which he thought it ought not to be.

Resolution agreed to.

SUPPLY.—PRINCE EDWARD'S ISLAND.] On the Resolution for granting 3,820*l.* for its Civil Establishments,

Mr. *Robinson* observed, that there were two new items in the estimate of this year. The first was a pension to the late Governor of 500*l.* a-year; and the other a charge to the same amount for the arrears of that salary. He wanted to know what those arrears were?

Sir *G. Murray* said, that this pension had been assigned on a fund which had since been unproductive. That fund was the quit-rents of the colony, which had not been paid up, and the pension, therefore, had been charged in the Estimates.

Mr. *Robinson* thought, that this case proceeded upon quite a new principle.

Sir *G. Murray* said, the salary of the Governor had formerly been small—only 800*l.* a-year. It was now increased; but the former Governor had been pensioned off before the increase, and after a service of ten years in the colony.

Mr. *Hume* was of opinion, that the Government ought to give some account of these quit-rents, and why they were not paid.

Mr. *Wilmot Horton* said, they could not be paid in the present state of the colony. If the colony had an adequate population they might be paid. At present there were tens of thousands of acres unproductive in it, for want of a population. Whenever these quit-rents became productive, the expense of the colony would be thrown upon them.

Mr. *Hume* thought the Government had been highly blameable to assign a pension on a fund which it must have known would be unproductive; as, according to the right hon. Gentleman, the Island possessed no people to pay the quit-rents. The whole system was a farce, and the Ministers who had assigned a pension on such a fund, ought to pay the arrears out of their own pockets. Let them take the Island and make what they could of it; he made them a present of it, provided they took the charges with it.

Mr. *Wilmot Horton* repeated, that in giving the colony a population, Parliament would give them the means of bearing the expenses of their own Government.

Mr. *Hume* trusted that the Committee would reject this pension, as the House had lately cut off the pensions of two sons of Cabinet Ministers.

Mr. *Maberly* remarked, that the strongest part of the case was, that the revenue of the colony was 10,000*l.*, and its expenses were only 4,000*l.* There was, therefore, a surplus revenue of 6,000*l.*, which might bear the expenses; but which he found thus marked—"Surplus Revenue to be applied in the erection of public buildings, of which there are none of any description." He hoped that with such an income and expenditure, the right hon. Gentleman would pledge himself that Parliament should not be called on in future for any grant for this colony.

Mr. *Stanley* said, as there appeared to be a surplus revenue in the colony, he hoped that the Committee would reject the grant.

Mr. *Wilmot Horton* said, the revenue was under the direction of the province, and was not subject to the control of the Government at home.

Sir *R. Peel* observed, that the general rule was, that civil governors should have no retiring allowances. But there might be cases in which the state of the colony rendered it advisable that the Governor should withdraw from the colony without any blame being imputable to him, and he could hardly be called on to retire without a pension being conferred on him. That was the case with the Governor here referred to, who was the brother of Sir Sidney Smith, and who had been in the office ten years, and could hardly be withdrawn from that office, in order to benefit the local interests of the colony, without some allowance being made him. He retired on the faith of that allowance being assigned on a productive fund; and when it was found unproductive, the Government could hardly be justified in refusing to make good the pension.

Mr. *Stanley* asked, whether he could not have been placed in some other colony?

Sir *R. Peel* said, that it could hardly be done when at the time of his retirement he was between sixty and sixty-five years of age.

Lord *Howick* objected, that the pension had been granted without the knowledge of the House, and upon a fund which, it must have been known, could not be productive. It was in fact, therefore, a pension on this country, and ought to have been included in the returns made to the House among other superannuations.

Mr. *Trant* thought no case had been made out against this officer, who appeared to have been withdrawn from the colony for the advancement of its interest. He should support the Resolution.

Mr. *D. W. Harvey*.—I really believe that the hon. Member imagines we shall surrender our understandings with the same facility as we vote away the public money; for he takes it for granted that the Governor has been removed for the public advantage alone, and, therefore, is entitled to the pension. This case seems to show, that there is a secret power existing somewhere to charge everything on the quit-rents coextensive with their amount. This incidental discussion will probably throw some light on the matter. It can be better examined in this way than by long set speeches; for it will give us the opportunity of examining into the proverbial corruption of the colonial administration, and show us the cause of that fondness with which the Government adheres to the Colonies. We ought to know, Sir, why the Colonial System, after all that has been said about it, is thus pursued. We ought to be informed what is the amount of these quit-rents. But, above all, we have a right to know who has had the audacity to deal with these quit-rents without the assent of Parliament. These quit-rents are public money. They are as much public money as the revenue of the Crown-lands, and ought in the same way to be accounted for. But then it is said that there is nothing public in this colony, for that there is no population in it. Indeed! There are at least all the elements of an expensive government. There is a Governor with a salary of 1,500*l.* a-year—there is a Chief Justice with 1,000*l.* a-year. Surely there can be no need of administering justice where there are no people to require it. But then, there is another officer, whose existence announces a high state of refinement in society—I mean an Attorney-general. Why, if there are no people, there can be no libels; and who can want an Attorney-general if there are no libels? I say, Sir, from these facts, it seems clear, that in this colony there is everything to constitute a flourishing country but people. But if there are no people, there can be little reason to pay a present, or to pension a late, Governor. I know nothing of this gentleman; his services may have been of the most meritorious kind; but I must ask again, who has had the audacity thus to deal with the public money, without the consent of Parliament.

Mr. *Wilmot Horton* said, he would answer the last question. It had always been the custom, at least for the last twenty years, for the Crown to take certain revenues in the colonies, and apply them in this manner. It had been done too with the knowledge of Parliament, and was as much constitutional as any act sanctioned by the executive and legislative governments.

Mr. *Stanley* denied the right of the Minister of the Crown to do this.

Mr. *Maberly* said, that no explanation had been given of the fact to which he had adverted—namely, of the existence of a surplus revenue unaccounted for. He thought the colony could bear its own expenses, and he should propose to reduce the vote to 20*l.*; and would move to take it away altogether, but that the forms of the House did not permit him to do so. In his opinion, no person in that House could go to his constituents and tell them he had done his duty, if he did not vote for this reduction.

Sir *G. Murray* said, that in 1826, the revenues of the colony were estimated at 9,694*l.*; and in 1828 they were estimated at 6,676*l.*, so that the revenues had been greatly overrated.

Mr. *Maberly* said, that the point was not satisfactorily made out to him, and he should, therefore, move, that the vote be reduced by 3,800*l.*

Sir *R. Peel* said, that his right hon. and gallant friend proposed, that in future there should be a colonial budget, for the purpose of explaining the disbursements of the Colonial Estimates. If the present practice was wrong, his right. hon. friend was not to blame for it, as it had existed from time immemorial. The House could not expect more than a new practice, conformable to its present feelings and wishes. His right hon. friend could not say, "I will compel the colonial legislatures to receive the reductions of the House of Commons," merely because the House of Commons thought that they ought to be made.

Mr. *Maberly* said, that he only wanted a full explanation on the subject, and he would be satisfied. Why could not the same pledge be given on this as on other votes?

Sir *G. Murray* said, that there must be some mistake either on his part or on that of the hon. Member; he understood that he had already given that pledge.

Lord *Milton* observed, that the Governor had ruled the colony so, that he had caused anything but harmony and satisfaction, and it was rather too bad to call on the country to give a man a pension because he was to be removed from the office that he had filled so mischievously.

Mr. *Wilmot Horton* said, that it was desirable to remove the Governor, and that it would have been cruel to leave him to starve.

Mr. *Brougham* rose and said, that he had attended with great anxiety to the course of this discussion, as he could not distinctly perceive the state of the fact on which this pension was made to depend. He wished to know what was the power of the House over the funds of the colonial assemblies. He thought that the House had no power over them directly. It had, however, a power over them indirectly, if it were so minded, for it had only to say that it would not provide for such and such expenses in the colonies, unless the colonies provided for such and such expenses in return. He had understood the Colonial Secretary to say, that all that had been done in this case was perfectly legitimate and proper. Now here was a pension granted by the Crown, which Parliament was called upon to pay. It was not charged upon the ordinary pension fund, under the ordinary limitations of the Act of Parliament. In order to evade these limitations, this pension was granted, charged in its inception on certain funds of the Crown, out of the control of Parliament, namely, on the colonial quit-rents. His question, therefore, was this—what was the state of the quit-rent fund when this pension was granted? Was it a productive fund or was it not? Was it real or ideal? Now to settle that question, the amount of it for two years previously to the grant of the pension ought to be stated. If it amounted to 500*l.* a-year, the Secretary of State who granted it stood acquitted: but if it never yielded 500 farthings, as he suspected, under what pretence could the Crown justify the fixing of the charge for the Governor's retiring pension on a non-existing, or at least on a non-productive fund?

Mr. *Wilmot Horton* said, that though he was not responsible for the grant of this pension, he would undertake to answer the question of the hon. and learned member for Knaresborough. The fund in question was, at the time to which the hon. and learned Member alluded, a productive fund. If the hon. and learned Member intended to ask him, whether at the time of granting the pension there was a surplus revenue above 500*l.*, to that question he would say, "No." If the hon. and learned Member merely meant to ask him, whether there was a rational prospect at that time that the fund would be available for the payment of the pension, to that question he would as readily say "Yes." If that prospect had failed, he could not say why it had, because he was not at present in possession of the requisite information.

Mr. *Hume* thought, that after the speech of the hon. member for Newcastle, the House ought to ascertain how far the Crown had a right to grant pensions upon hope. He proposed that this vote should be postponed till to-morrow, in order that the committee might have before it the account of these quit-rent funds. It was a great shame that the Crown should grant pensions on hope, and then call upon the country to pay them in reality. At all events this grant ought to be reduced by the sum of 1,000*l.*

Mr. *Maberly* said, that as such was the opinion of his hon. friend, he would, out of deference to him, withdraw his Amendment.

Mr. Hume then proposed to reduce the grant by 1,000*l.* being the amount of pensions for the present and for the last year.—The Committee divided.

For the Amendment 78; Against it 126—Majority against it 48.

Resolution agreed to.

List of the Minority.

Althorp, Lord
Attwood, M.
Benett, J.
Birch, Mr.
Brownlow, C,
Buller, C.
Bernal, R.
Brougham, H.
Brougham, J.
Bentinck, Lord G.
Carew, R. S.
Calvert, C.
Carter, J.
Cavendish, W.
Cholmely, M. J.
Davenport, E. D.
Denison, W. J.
Dundas, Hon. G.
Dundas, Hon. T.
Dundas, Sir R.
Davies, Col.
Dawson, Alex.
Euston, Earl
French, A.
Fazakerley, John N.
Gordon, Robt.
Guest, J. J.
Grattan, James
Gwin, Sir W. B.
Graham, Sir James
Hardcort, R.
Harvey, D. W.
Howick, Viscount
Jephson, C. D. O.
Knight, R.
Latouche, R.
Labouchere, H.
Lamb, Hon. G.
Lennard, Thos. B.
Lester, B.
Lambert, J. S.
Lumley, J. S.
Lushington, S.
Maberly, John
Marjoribanks, S.
Macauley, T. B.
Marshall, W.
Martin, John
Milton, Viscount
Monck, J. B.
O'Connell, D.
Ord, Wm.
Parnell, Sir H.
Pendarvis, E. W. W.
Phillimore, Dr.
Philips, Sir Geo.
Ponsonby, Hon. G.
Power, Richard
Price, Sir R.
Protheroe, Edward
Pryce, Pryse
Rice, T. S.
Robinson, G. R.
Rumbold, C. E.
Russell, Lord John
Sibthorp, Col.
Smith, J.
Smith, T. A.
Stanley, Hon. E. W.
Thomson, C. P.
Townshend, Lord C.
Tufton, Hon. H.
Van Homrigh, P.
Warburton, Henry
White, S.
Wood, C.
Wood, M.
Wrottesley, Sir J.
Wood, J.
White, H.

TELLER.
Hume, Joseph

SUPPLY—NEWFOUNDLAND.] The next vote was 11,261*l.* for the expenses of Newfoundland.

Mr. Hume wanted to know what was the amount of the Customs collected in Newfoundland, stating the expenses of the collection, and the amount remitted to England.

Sir *G. Murray* replied, that the amount collected in 1828 was 15,126*l.*; the amount of salaries was 4,215*l.*—Vote agreed to.

SUPPLY—SIERRA LEONE.] The next item was 10,180*l.* for its expenses.

Mr. *Hume* said, that as he had a motion on this subject for to-morrow, he should not say anything on the subject that night.—Agreed to.

SUPPLY—FERNANDO PO.] The next item was 3,301*l.* for its expenses.

Mr. *Hume* begged to ask whether the statement respecting the unhealthiness of that colony was correct?

Sir *G. Murray* said, that the reason for establishing the colony of Fernando Po was because it was a better situation for intercepting ships engaged in the Slave-trade, as it was more contiguous to the parts whence the slaves were fetched. This station also obviated another difficulty, as the conveyance of captured vessels from that neighbourhood to Sierra Leone was attended with inconvenience and danger. He was perfectly ready to admit that the recent reports of the health of that colony were extremely unfavourable, and he regretted to say that the health of the persons there had not been what could be wished for a very considerable time. He believed that infection had been, in some cases, brought from Sierra Leone.—Vote agreed to.

SUPPLY—ACCRA—CAPE COAST CASTLE]. A sum of 4,000*l.* for defraying their Expenses was the next vote.

Mr. *C. Wood* could not consent to the maintenance of establishments from which no national good could arise—nothing but a continued mortality—a scandalous waste of human life. All the forts on the Gold Coast ought to be given up; they cost the country a large sum, and many lives, for the profit of a few merchants, and without being of the least national utility.

Sir *George Murray* admitted that it would be highly advantageous to abandon these establishments altogether if it were practicable so to do, but he feared that they must be maintained for a few years longer. The only authorities on the spot were the merchants, who acted as Justices of the Peace, under commissions from the Crown and the higher Magistrates, to whom they were subordinate, and who were appointed also by the Crown and paid. It would be presumed, he admitted, that some officers of a higher order were necessary.—Vote agreed to.

SUPPLY—FOR THE SOCIETY FOR

PROPAGATING THE GOSPEL IN CERTAIN OF OUR COLONIES.] 16,182*l.* was proposed.

Lord *Howick* considered this vote highly objectionable, not alone upon the ground of economy — that ground he would not take up—but he would call upon the House to pronounce a vote of condemnation upon this proposition altogether, apart from considerations of economy; he objected to it, as the devotion of a large sum of the public money to the maintenance of an exclusive and a dominant Church, especially in a country circumstanced as Canada was, where one-seventh of the land was devoted to the maintenance of the Church Establishment, and where that exclusive and dominant Church gave great dissatisfaction. It was, in fact, given in evidence before the Canada Committee, that the Church Establishment there was a source of much discontent. The interests of religion in Canada would be, he contended, much more effectually promoted by removing all invidious distinctions respecting matters of religion. If the Government desired to see that, or any colony, happy or prosperous, it would put down monopoly, and prevent as far as it could all cause of jealousy. The noble Lord further added, that the Missionaries sent out from the Methodist connection were, he understood, highly efficient. He concluded by moving that the proposed vote be reduced to one half—namely, from 16,182*l.* to 8,091*l.*

Mr. *R. Gordon's* objections were not grounded, as the noble Lord's had been, on the effect produced by this vote in the colonies, but upon grounds of economy. This vote had grown up gradually from 3,600*l.* in 1814, to 9,000*l.*, 10,000*l.*, and at last to 16,000*l.*, so that, since 1815, a sum of 190,500*l.*, had been voted to the Society for Propagating the Gospel. Neither was this all, for that Society had gained no less than 41,500*l.* by going about from parish to parish with the King's letter; thus making a sum of no less than 230,000*l.* since 1814. Then the expenses of the Society were great—a Secretary at 180*l.*, and a clerk with 105*l.* What was more extraordinary, in 1824 Lord Bathurst wrote a letter to the Bishop of London, stating that there was a difficulty in finding proper persons to be sent out to Canada, and asked for his aid, and the Archbishop of Canterbury's aid, to find proper persons, recommending at the same time that the department should be attached to that of the Chaplain General. A Council of Assistance was accordingly formed; and who was the Secretary appointed, with a salary of 500*l.* a-year? Why, Mr. Hamilton, who was a Rector, and had several livings, and was Archdeacon of Calne. The hon. Member then went on to notice the statements made in the petition of Mr. Griffin against the proceedings of the Society, and said, if money were given at all, it would be better given directly than through the medium of an Ecclesiastical Board so unpopular as this had rendered itself in Canada.

Sir *George Murray* defended the propriety of the grant on account of the inability of parties settling in a new country to support clergymen, wherefore it became the Government to provide religious instruction. The increase of the grants had been in proportion to that of the population. He was aware that the application of this vote caused dissatisfaction in the colony, and he quite agreed that the system of patronising an exclusive Church there was injurious, as it was calculated not only to excite discontent, but even to injure the Established Church. The system under the Act 31st George 3rd was defective in that respect, and the allotments for the church in Canada, which would never be productive—were, in point of fact, inadequate to their proposed end; they impeded the progress of cultivation, and were only effective in producing bad feelings in these provinces. He was ready to admit all that; still he thought a connection between the Church and State beneficial, as it made the former respectable, and strengthened the latter. In his view, however, that union should not be limited to any particular class or sect, but should be placed on a more extended basis. The present system had been, he admitted, particularly injurious in the Lower Province, where there was but 28,000 Protestants, while there were 400,000 Roman Catholics; and in Nova Scotia and Prince Edward's Island, where the Church of England population was but 20,000, while those belonging to the Church of Scotland amounted to 50,000. The result was, that the Presbyterians there were discontented as the Roman Catholics were discontented in Lower Canada. At the same time he believed that this discontent had been much exaggerated. The grant, however, ought not to be withheld, as it would enable Government to provide religious instruction for people in remote situations; and he thought also that where the colonists themselves came forward with money for the building of places of worship and the support of clergymen, the Government should be enabled to assist them, and contribute its proportion. The Ecclesiastical Board was advantageous, inasmuch as it secured a proper selection of clergymen. He must add that he fully agreed with those hon. Members who said, that there ought to be no exclusive or monopolising system. It was his opinion, therefore, that some support ought in future to be given to the Dissenters; but for the present he hoped the vote might be agreed to in the form in which it then stood.

Mr. *Hume* expressed great satisfaction at what had fallen from the right hon. Gentleman; but, as the clergy reserves were admitted to be injurious, he asked why the sale of them to the Canada Company had been broken off? The connection between Church and State was in this instance not advantageous to the State, as the right hon. Gentleman said, but injurious, because the Church had been too strong for the Government. It would be better to take away all such grants, for the Church would not aid the Government if the latter presumed to share the money with other sects. That was proved by its intolerant conduct. Here the hon. Gentleman commented on the letter of Archdeacon Strahan, which had been declared a gross and scandalous libel by the House of Assembly in Upper Canada, and yet he was not prosecuted. In Upper Canada, 3,500*l.* was given to the Church of England, while the members of that persuasion bore but a small proportion to those of the other sects, who got nothing, and felt the contrast most severely. There were in that colony altogether 235 clergymen—117 Methodists, forty-five Baptists, fifteen Presbyterians, twenty-one Wesleyan Methodists, and but thirty-one of the Church of England. The Colonial Secretary admitted that it was an evil to give aid merely to one sect, but still wanted them to do so to-night. The hon. Member said a similar state of things existed in Nova Scotia, the population of which was 123,000. Of these there were—

Of the Church of Scotland	37,000
Roman Catholics	20,000
Baptists......................	19,000
Methodists	10,000
Dissenters	4,400
And of others	3,000

while the whole of the members of the Church of England amounted but to 28,659. The people of Nova Scotia prayed too that this allowance might be withdrawn, of which in fact, not above 1,200*l.* was distributed there, though the sum obtained was above 5,000*l.*; altogether, these grants were most profligate, and he would resist them to the utmost of his power. The hon. Gentleman, in conclusion, said that he would most cordially support the present vote of half what was originally proposed, and trusted that the other half would be taken away next year.

Mr. *Wilmot Horton* thought, that the accounts and numbers respecting the different sects ought to be correctly given. The Ecclesiastical Board he considered beneficial; and as to the Clergy reserves, an Act had been passed for their sale. He supported the original vote.

Sir *Robert Inglis* said, that no country in the world had made such a miserable provision for its established religion, as England in her colonies. He supported the grant, and recommended that liberal grants should be appropriated to the support of the English Church in all the colonies.

Mr. *Labouchere* thought, on the contrary, that a country which devoted the sixth part of the soil for the support of the Church had acted most liberally. He was himself a Church-of-England-man, and though he had always supported this grant hitherto, yet he was now convinced that it did harm to the Church of England, which was dwindling away in Canada, and flourishing in the United States of America. He was glad to hear the Amendment proposed, therefore, which he would cordially support, being convinced, on the whole, that the grant did harm to the Church of England.

Mr. *O'Connell* thought that no Government had any right to dictate the religion of its subjects, and therefore he should object to any measure which went to encourage a particular religion.

Mr. *Stewart Wortley* said, that money was never granted for building a church till the inhabitants of the district had bound themselves to raise two-thirds of the necessary sums.

Mr. *William Smith* applauded the sentiments which had fallen from the right hon. Secretary of State for the Colonies. He wished for nothing more than that those liberal sentiments should be carried into effect. Almost every step we had hitherto taken in our interference with Canada had tended to alienate the people from this country; but he hoped, after what he had this night heard, that our future policy would have a different effect.

Sir *T. Acland* could not think that an expenditure of 16,000*l.* for such an object as this was an excessive vote. He should regret if the House relaxed in its liberality; and he thought the fact of 40,000*l.* having been collected in 1818, by his Majesty's letter, was a proof that the country was inclined to co-operate with the Society. At all events the change was too great to be brought about by an incidental discussion. The vote was destined to support a meritorious class of men, and thinking it not too much, he should support the original Motion.

Mr. *J. Stewart* objected to the grant being exclusively devoted to the Church of England, and thought the Presbyterian Clergy ought at least to have a share. The money ought, in his opinion, to be employed in spreading Christianity in Upper Canada. Nevertheless, as he unstood that henceforth it was to be so appropriated, he should support the original Motion.

Sir *George Murray*, in explanation, begged to observe, that the settlers in the woods of Canada were but too prone, from their situation and society, to indulge in habits of religion, bordering on what might be called superstition. He thought, therefore, that the labours of those who disseminated the principles of true religion could not be considered as wholly unnecessary to the well-being of the colony.

Mr. *Phillips* wished that the money should be applied to all the different sects in proportion to their numbers.

Lord *Sandon* expressed his concurrence in the vote for the present year, but desired that it should be reduced as soon as possible.

Lord Howick attempted to address the Committee, but the cries of "Question," and other symptoms of impatience were so loud that the few observations he made were not audible.

Mr. *Monck* declared, that the vote, although perfectly justifiable on the principle of supporting Christianity, when applied to encourage a Church which the people did not follow, was most objectionable.

The Committee then divided: For the Resolution 148; Against it 46—Majority 102.

List of the Minority.

Althorp, Lord
Benett, J.
Calvert, N.
Cholmeley, M.
Clive, E. B.
Davies, Colonel
Dawson, A.
Dundas, Hon. T.
Dundas, Right Hn. G.
Dundas, Sir R.
Denison, W. J.
Easthope, J.
Fazakerley, J. N.
French, A.
Gordon, R.
Graham, Sir J.
Grattan, J.
Guest, J. J.
Harvey, D. W.
Hume, J.
Jephson, C. D. O.
Knight, R.
Labouchere, H.
Lamb, Hon. G.
Lumley, J. S.
Marshall, W.
Maberly, J.
Marjoribanks, S.
Monck, J. B.
O'Connell, D.
Ord, W.
Price, Sir R.
Rice, T. S.
Robinson, Sir G.
Rumbold, C. E.
Smith, W.
Smith, V.
Stanley, E. G.
Thomson, C. P.
Tufton, Hon. H.
Warburton, H.
Western, C. C.
Whitbread, W.
Wood, C.
Wood, J.
Wrottesley, Sir J.

TELLER.

Lord Howick

On the next Resolution, "That a sum of 47,500*l.* be granted to pay for Presents to American Indians, and for the expenses of maintaining Liberated Africans at Sierra Leone"—

Mr. *Labouchere* said, that the American States had determined to put an end to the system of employing the Indians as auxiliaries in war, and he hoped it was the intention of the Government to follow their example.

Sir *G. Murray* said, the Indians were not only very expensive, but very useless auxiliaries in modern warfare; and it was the determination of the Government to put an end to the whole system connected with employing them as soon as possible.

The Resolution agreed to and the House resumed.

HOUSE OF LORDS.

Tuesday, June 15.

MINUTES.] Petitions presented. By Lord TEYNHAM, from Burwash, Sussex, complaining of Distress, and praying for the Repeal of the Malt and Beer Duty; and from Heathfield, in the same county, against the Hop Duty. By the Bishop of LONDON, from Tavistock Chapel, in St. Martin's-in-the-Fields, praying for a measure to prevent the Profanation of the Sabbath. By Lord DURHAM, from a Parish in Galway, in favour of the Galway Franchise Bill. By the Marquis of LANSDOWN, from Glasgow, praying for Free-trade with China. To Abolish the

Punishment of Death for Forgery, by the Earl of Hardwicke, from Royston:—From Gloucester, by Earl Grosvenor:—Two from Reading, by Lord Skelmersdale:—Two from Cornwall, by Viscount Lorton:—From Margate, by the Archbishop of Canterbury:—From two congregations of Protestant Dissenters at Devonport, by Lord Bexley:—From Baptists of Truro, Cornwall, by the Earl of Falmouth:—From three Congregations of Protestant Dissenters at Ipswich; from Houndsditch, Maidenhead, Stoke-green Chapel, Sudbury, and from four other places, by Lord Holland:—From Baptists of Bury St. Edmunds, and from Unitarians of the same place, by the Bishop of London:—From a place in Dorsetshire, by the Earl of Shaftesbury:—From Edinburgh, a Chapel at Devonport, the Old Meeting-house at Ipswich, and from Pontefract, by the Marquis of Lansdown:—And from Stockton-upon-Tees, and another place, by Lord Durham. Against the proposed increase in the Stamp and Spirit Duties in Ireland, from Kilkenny, by the Marquis of Ormonde:—From the Chamber of Commerce of Limerick, by the Earl of Limerick:—From West Carberry, by Lord Carberry:—From the City and County of Londonderry, by the Marquis of Londonderry:—And from the County of Kildare, by the Marquis of Downshire. By the Duke of Richmond, from Wool-growers of the eastern part of Suffolk, complaining of Distress, and praying for Protection against the Importation of Foreign Wool.

Forgery.] The Marquis of Lansdown gave notice, that on Tuesday next he should move the second reading of the Forgery Bill, which had been brought up from the other House.

Lord *Holland* said, that as the subject was to be so shortly brought under the consideration of their Lordships, he would not say one word upon it at present, except that an opinion had gone forth, that the people called Quakers were the only persons in the country who wished to see the law altered. Now he could answer for a very large portion of the community, besides the Quakers, being extremely anxious that the law should be altered—he meant the Protestant Dissenters; and he believed that the petitions on the Table of this and the other House of Parliament would prove that the same sentiments were entertained by no inconsiderable number of those who were attached to the Church of England.

Greece.] The Marquis of *Londonderry* said, that he would renew the motion which he made last night, and begged to know if the noble Secretary for Foreign Affairs had any objection to the production of Sir Edward Codrington's letters of January 26th, 1828, and of October 18th, 1827.

The Earl of *Aberdeen* was sorry to be obliged to refuse the papers, lest the production of them might lead to much inconvenience.

The Marquis of *Londonderry* said, that after that declaration he could not press his Motion. He would only put it to the House to decide, whether, after the refusal of these papers, his case did not stand on fair ground.

Insolvent Debtors' Bill.] The House went into a Committee on this Bill.

The *Lord Chancellor* said, it was his intention to strike out that part of the Bill which related to minors, and also all the compulsory clauses, because it would be necessary to remodel them, so as to exclude minors from the operation of them.

The Earl of *Malmesbury* was very glad to hear this declaration. He could never have consented to the clause respecting minors; and he was perfectly astonished that such a clause should have found its way through the other House.

House resumed.—Bill with amendments to be recommitted.

HOUSE OF COMMONS,

Tuesday, June 15.

Minutes.] Returns ordered. On the Motion of Mr. Bright, of the number of persons who have compounded under the Assessed Taxes:—On the Motion of Dr. Phillimore, of the number of Actions for Divorce on account of Adultery raised in the Commissary Court, Edinburgh, from 1822 to 1829 inclusive, with the result of each action.

The Bill for preventing Canine Madness was read a second time, and referred to a Select Committee. The Libel-law Amendment Bill was read a second time.

Petitions presented. Against the Stamp and Spirit Duties (Ireland), by Mr. G. Moore, from the Corporation of Weavers, Barbers, and of Barber-surgeons, Dublin:—By Lord Killeen, from Sleiverne (Kilkenny):—By Mr. O'Connell, from five Parishes in the County of Clare; also praying for a Repeal of the Union:—By Mr. Jephson, from Mallow. Against the Vestry Acts (Ireland) by Lord Althorp, for Sleighrue (Kilkenny). Against the Northern Roads Bill, by Mr. J. Calvert, from the Borough of Huntingdon:—By Colonel Beresford, from the Magistrates of Berwick-upon-Tweed; and from the Trustees of the Middle Districts of Roads (Berwick). For an Equalization of the Duties on East and West India Sugars, by Mr. C. Grant, from the Merchants of Glasgow. Against the Subletting Act (Ireland), by Mr. O'Connell, from Kilturk and Kilmore (Wexford). Against the Malt Duties, by the same hon. Member, from the Brewers of Dublin. Against Tolls, and other vexatious restrictions, laid on Trade by the Corporation of Dublin, by the same hon. Member, from the Potatoe Merchants, and from the inhabitants of Saint Mark, Dublin. And for permission to grind Foreign Wheat under bond, by the Earl of Darlington, from John Asser.

Deserted Children, (Ireland.)] Mr. *Moore* presented a Petition from the inhabitants of the Parish of St. Paul, Dublin, against the Bill for the maintenance of Deserted Children (Ireland). The petitioners stated, that they lived in the poorer part of the city, where children were more likely to be deserted than in the squares and more rich and populous places; and they complained, that by the operation of the Bill now before Parliament, they should have to pay a portion of the burthen which ought to come upon richer parishes, and they prayed that all the parishes within the circular road should be assessed according to their means, for the maintenance of children deserted within those limits, and that the sums thus raised should form a common fund for the object of the Bill. The prayer of the petitioners he considered very reasonable, and he hoped that the attention of Ministers might be given to the subject.

Mr. *O'Connell* said, that the complaint was well-founded; but the remedy which the petitioners prayed for would not have the effect they imagined. It would tend to make a sort of general foundling hospital in the city, and it was already seen that the experiment of a general foundling hospital had failed. It would be better for them to pray against the Bill altogether. No doubt it would be an important matter to many parishes to have the Bill passed, but the general operation of the Bill, particularly in that way which the petitioners viewed it, would be injurious.

Mr. *Moore* said, that the Bill would be a great grievance to many parishes; but he did not think the remedy which the petitioners proposed would be impracticable. The subject was one which deserved the serious consideration of the House.

Mr. *S. Rice* said, that the subject was one of great importance to Ireland, but unfortunately, owing to the state of business in the House, no opportunity was given for discussing that and many other subjects of great public interest, more particularly those connected with Ireland. However much a Member might be disposed to attend to the interests of his constituents, or of the country to which he belonged, such was the state of business in that House, that no opportunity was given, either to Government or to individual Members, to bring on the discussion of many matters of great interest. With respect to the Bill to which the petitioners referred, he would say, that no modification of it could cure the evils which it was calculated to produce. It would renew all the evils which had attended the foundling hospital system, and there was no objection which could have been urged to that system which might not with greater force be urged against the Bill. It would, no doubt, be a relief to some parishes, but it would be a most oppressive measure to others. The better way would be, to leave the matter as it stood. As long as there was an individual interest in preventing the evils for which the Bill meant to provide, the matter would be better attended to; but if a fund were provided in the way proposed by the Bill, it would introduce the system which had already been tried and failed. Looking at the Bill before the House in all its bearings, he was determined to give it his most decided opposition.

The Petition to be printed.

SPIRIT DUTIES.] (IRELAND.) Mr. *S. Rice* presented two Petitions, one from the Mayor and Corporation of Waterford, and the other from Kilkenny, against any increase in the Duty on Irish Spirits. Most of the objections which had been raised on this subject were removed by the statement made by the Chancellor of the Exchequer last night on this subject, and he hoped that the Government, which had gone thus far, might be induced to go further, and give up the duty on stamps.

The Petitions to be printed.

Mr. *Brownlow* presented a similar Petition from the county of Armagh, and though he admitted that much of the objection against the first proposition of the right hon. Gentleman was now removed by his modification of it, yet even small as was the addition he now proposed to make in the duty upon Irish spirits in common with those of England and of the West-Indies, he feared it would not answer the object in view of an increase of Revenue, at least as far as Ireland was concerned. It was well known that when the duties were high in Ireland, the illicit trade in spirits had been carried to an enormous extent, and tended greatly to demoralize the habits of the people; and he feared that even the proposed small addition to the duty would have the effect of renewing that trade to a considerable extent. The petitioners also complained of the proposed increase of stamp-duties in Ireland, and they stated, in which he fully concurred, that the increase of the duties on newspaper stamps and advertisements would not only not increase the revenue, but would tend greatly to diminish it, by putting an end to many papers now in circulation in Ireland. He did hope, therefore, that Government might be induced to give up a tax, which, without any advantage to the Revenue, (the only fair ground on which it could be proposed), would have the effect of destroying the property in newspapers to a considerable extent in Ireland.

The Petition to be printed.

Mr. *O'Connell* presented a similar Petition from the parish of Trinity within, in the city of Waterford. The petitioners, he observed, also prayed against the duty on the growth of tobacco in Ireland, which took away employment from so many persons in that part of the country where it was most wanted. He would admit, that one great ground of objection was removed by the modification of the duty on spirits proposed by the Chancellor of the Exchequer last night; but he concurred with the hon. member for Armagh, that even the small additional duty proposed would have the effect of tending to reintroduce the demoralizing practice of illicit distillation. He joined with his hon. friend in hoping that Ministers might be obliged to give way even in this, and also to give up the increased duties on stamps. The imposition of any new tax on stamps of newspapers would have the effect of inflicting a serious injury on the Press of Ireland, which, in a country without a resident legislature, was now the only check on public men and measures.

The Petition to be printed.

Mr. *G. Ponsonby* presented a similar Petition from the inhabitants of the town of Youghall, in the county of Cork. He agreed that the necessity for the prayer of the petitioners against the duty on spirits was in great part removed by the statement of the Chancellor of the Exchequer last night. At the same time, he agreed with the hon. members for Armagh and Clare, that it was not politic to have any increase of duty on spirits in Ireland, as it must operate to introduce illicit distillation. He had, within the last ten days, received accounts from Ireland, informing him, that even the prospect of an increased duty of 2*d*. per gallon on spirits had operated in promoting that illicit trade.

Petition to be printed.

CONSCIENTIOUS SCRUPLES OF THE MILITARY.] Sir *R. H. Inglis* presented a Petition from the Clergy of the Presbytery of Newcastle-upon-Tyne, complaining that British soldiers were obliged to pay homage to the superstitious and idolatrous ceremonies used in some of the Islands of the Mediterranean. The petitioners expressed their detestation of such ceremonies, and observed, that every one of the 658 Members of that House had sworn to the same effect, and that it was not quite consistent with that oath to sanction such a custom as had been introduced amongst our soldiers in those countries. The hon. and learned member for Clare had done himself great credit in supporting the prayer of a similar petition, which he had formerly presented, and he (Sir R. Inglis) was unwilling to say any thing of those ceremonies which might in any way wound the feelings of that hon. Member, or of any other who thought with him on that subject. At the same time he must say, that it was not justifiable to command men to be present at, and do homage to such ceremonies, who could not do so without a violation of their conscientious feelings.

Mr. *O'Connell* said, that he supported the prayer of this petition as he had done that which the hon. Bart. formerly presented, though he owned he did not think it quite fair that the petitioners should impute idolatry where none existed. If, however, they were deficient in that spirit of Christian charity which admitted every man to act according to his own conscientious feelings, that should not hinder him from advocating the general principle,—that no man should be called upon to do that which was repugnant to those feelings. It was uncharitable to impute idolatry to parties who were not guilty of it, and who detested it as strongly as the petitioners or any other men. Those who professed the religion which he professed were not guilty of idolatry,—they adored only the living God. But whatever might be the opinions of some individuals on this subject, it would never alter that to which he adhered, and should adhere,—that every man should be left wholly free and unshackled in his religious worship, and should not be called upon to do any act which was contrary to his sincere and conscientious belief.

Lord *Killeen* said, that he had not the honour of a seat in that House when the hon. Baronet formerly presented a petition on this subject, but if he had he would have supported its prayer, as he now did that of the petition before the House. When he himself was a petitioner to Parliament for the full enjoyment of religious liberty, he was anxious that the same privilege should be extended to all others;

and in that House and out of it, he would always advocate the principle for which the petitioners contended,—that no man should be compelled to any act which was repugnant to his conscientious feelings.

The Petition to be printed.

PROTESTANTS AND PROTESTANT CHURCHES.] Mr. *O'Connell* presented a Petition from Sutton in the county of Wexford, against Tithes, and also against the Vestry Act. The hon. Member said, he would take that opportunity of giving notice, that in the first week of the next Session (should he have a seat in Parliament) he would bring forward the subject of the Vestry Act.

Mr. *Trant* said, that when his hon. and learned friend, the member for Clare, mentioned the subject the other evening, he stated the case of a parish in which there were 2,500 Roman Catholics, and only twelve Protestants. He had heard many similar statements from other quarters, which would seem to imply that it was absurd to build churches in many parts of Ireland, as there were no Protestants to go to them when they were built. Now, against any such inference he must protest. There was no want of Protestants where churches were built for their accommodation. He would mention one instance of this. Some time ago an Irish gentleman, a friend of his, came into possession of an estate. In the parish in which it was situated there was no church, and he was told there were no Protestants to go to one if it were erected. Thinking that this was so, he had divine service performed in his house for his own family, and for any others who might choose to come. Very soon the attendance was so numerous, that he imagined, if church accommodation were provided, more would attend. He went to work, and at last succeeded in having a church erected. It was not long before it was so numerously attended, that he felt it necessary to have it enlarged, and at last the attendance was so great, that he stated his conviction, that if another church were erected, he should have that filled also. He (Mr. Trant) mentioned this fact as an answer to the allegations so frequently made, that no Protestants were to be found to attend churches if they were erected. His own conviction was, that where churches were provided there would be Protestants enough to attend them.

Mr. *O'Connell* said, that his hon. friend had an advantage of him in what he had just stated. In those statements which he had felt it his duty to make as to the comparative number of Protestants and Catholics in any particular parish, he gave the name of the parish or place, so that if his statement were inaccurate, nothing could be more easy than to set him right; but his hon. friend had given his account anonymously, he did not say incorrectly, but certainly the same means did not exist of finding out its inaccuracy, should his hon. friend have been misinformed on the subject. For his own part, he did not object to the gentleman alluded to building churches, or endeavouring to get as many persons to attend them as he could. It was very natural for a man to endeavour to induce others, and he did not object to it if it were done fairly, to embrace the same religious opinions which he himself held,—but he doubted much whether obliging parties to build churches—he spoke now of Roman Catholics—was the best way to induce them to attend them: on the contrary, he thought the operation of that mode of converting would be just the other way. For his own part, he would say that his inclination to attend a church would not be greatly increased by being called upon to pay for its erection for the accommodation of others, and he was sure his hon. friend would be much of the same opinion under similar circumstances. For instance, he did not believe that his feeling towards the Roman Catholic religion would be greatly improved by an appeal made to his pocket, for the purpose of erecting a church for the accommodation of Roman Catholics. He did not mean to say that when churches were erected in Ireland, even in Catholic parishes, persons might not be got to attend them; for to every church there were some ten or twelve offices attached, with salaries annexed, and if parties were paid for attending, no doubt it was not to be expected that churches would be left empty; for instance, in the parish to which he alluded on a former evening, there were twelve Protestants—six of these were males,—so that if a new church were to be erected there, each of them might hold two offices.

Mr. *Trant* had no disposition to conceal the name of the parish to which he alluded. It was the parish of Kilcullen-bridge, in the county of Kildare. He repeated that his object in mentioning the circumstance was to shew that where churches were erected, there were Protestants to be found to attend them; and that there was no necessity to recruit them through the country, as some hon. Members seemed to believe.

Petition to be printed.

THE NEW POLICE.] Sir *E. Knatchbull* presented a Petition from a numerous body of individuals,—the market gardeners supplying the metropolis from Middlesex, Surrey, Essex, Kent, and Hertford, against the New Police, to which he should be anxious to call the attention of his right hon. friend, the Secretary for the Home Department, if he were in his place. The petitioners stated, that before the passing of the New Police Bill they were not liable to pay any watch-rate for land, but that now they were assessed for their land as well as houses, and were called upon to pay a rate of 8*d.* in the pound under the new Act; but, although the rate was only 8*d.* they had a much higher sum to pay; for the sums assessed upon the houses of parties who could not pay were charged upon those who could pay, and this greatly increased the amount of the rate. This was a subject to which he was anxious to call the attention of his right hon. friend, and he had waited several days for an opportunity of doing so, but his right hon. friend did not enter the House until after the time of presenting petitions had elapsed. He was anxious to learn whether it was intended to extend the system of police beyond its present limits.

Mr. *W. Peel* said, that if the hon. Baronet knew the great pressure of business which occupied his hon. relation in the Home Department, he would not be surprised that he did not attend in his place at an earlier hour. With respect to the petitioners, he believed it would be found that the increase of rate was very little more than what it had been hitherto on houses. Farmers, he admitted, would have to pay a little more, but they themselves would admit, that under the operation of the Bill they had received increased protection. As to the extent of the police jurisdiction, it had been carried by the present Bill to all the parishes named in the former schedule, and it could not be extended further without an Order in Council. He did not believe it was the intention of Government to extend it beyond those limits. The number, instead of being 6,000, as had been stated, was not more than 3,000.

Mr. *R. Colborne* complained of the expense of the system: the parish in which he lived had been in the habit of paying 5,000*l.* for the watch-rate, and now it had to pay 17,000*l.* for the new police.

Mr. *Estcourt* admitted that complaints had been made, but he thought they were unreasonable. There certainly was some little more expense, but there was much more security: formerly, many individuals kept private watchmen, whose services might now be dispensed with.

Mr. *M. A. Taylor* said, that there were complaints in almost every parish of the expense of the new police; and he believed that the old system was, in many instances, quite as good.

Mr. *Benett* said, that one objection to the new system was, that land in the neighbourhood of the metropolis paid the rate, though its owners never required the attention of the police at all. If the system were extended, we should, by and by, have a military police throughout the country; the whole expense of which would fall on the land.

Mr. *Western* complained of the way in which parishes were rated under the New Police Act; particularly parishes at some distance from the metropolis, which derived little or no benefit from the police. He admitted that a force of the kind now established had been long wanted, and he did not complain of its military character, but it might be too expensive; at least he knew that several of his constituents in the neighbourhood of the metropolis were already alarmed at its cost.

Sir *R. Peel* [*who had entered the House while Mr. Benett was speaking*] said, that there certainly had been many complaints that the old system was inefficient; and with good reason, for there were parishes which had refused to subject themselves to the assessment which was necessary for the support of a watch; the consequence was, that in one parish there had been eighteen burglaries in the course of six weeks: this alarmed the inhabitants, and a voluntary subscription was entered into; but in the course of two months it fell to the ground; and all this time there was no provision for the nightly watch. The present system might be more expensive than the old one, but it was the greatest injustice that, by the refusal of some to provide a proper watch, those expenses should be heightened to others who were willing to pay for the protection of their property. If it were desirable to improve the system, the men must be disciplined for that purpose; but as to calling them a military force beyond that, it was absurd. Every order under which they acted had come to the knowledge of the public. The power which that House had at all times to call for the regulations made, was a sufficient protection against any military system being introduced. Considering that the number only amounted to 3,000 men, he thought that they had done as much as could possibly be expected. Of course the expense was considerable; but how was that to be avoided? Was the number of men too great? On the contrary, it was generally complained of as being too small. Was the salary too large? On the contrary, it was said that it was not sufficient to induce respectable men to offer themselves. For himself he thought that the salary was sufficient, and he should, therefore, be unwilling to raise it; still, however, the opposite opinion prevailed to a considerable extent. With respect to land in the neighbourhood of the metropolis having to pay the rate, he thought that was but just, for as it reaped all the advantages attendant on being situated near so large a city, what right had its owners to expect that they should be exonerated from the disadvantages? He saw no reason why a parish at a distance from the metropolis should be included in the police system; and he should be sorry to propose to the Privy Council to include any such parish, without first consulting the parish authorities, more particularly if they objected to it. He would not extend the system to parishes which did not form, as it were, part of the metropolis. In general, however, parishes had made applications to be included within the police districts; and certainly more made applications to be included than to be excluded. As far as his experience of the new system went, he had formed a highly favourable opinion of it. Twelve months had not yet elapsed since it was formed, and he did not expect that in so short a time it would have done so much. He had never anticipated that it would in that time have become so well acquainted with the class of people it was most desirous the police should be acquainted with, in order to watch them. He did not suppose that its discipline would in that period have become so perfect, or the men, who were all new to the employment, would in so short a time have become so well acquainted with the habits of the thieves of London, as to prevent their depredations. The police was daily improving, and three or four years would not elapse before the House, he was sure, would congratulate itself on having established the force. Gentlemen must not judge altogether from the streets through which they were accustomed to walk, but they must look at every part of the metropolis and its environs. That system could not be good which did not provide for the police of every part; for if the police of St. Giles's were neglected, the parish of St. George would suffer. The former system, which allowed each parish to take care of itself, was a bad one. In one parish the greatest care might be taken, but in another the police might be wholly neglected. The consequence would be, that the thieves would live in the outskirts of the well-watched parish, and commit their depredations in the other when they found an opportunity. Complaints were made of the police almost before it was formed. It was not adopted from any whim, it had been recommended by a committee nominated at his suggestion—that committee had made elaborate inquiries, and recommended the present police system. The moment it was tried, even before it was complete, some Gentlemen exclaimed against it, and wanted to return to the old system. He hoped the new system would be preserved, for his confidence in its success was strengthened every day. The improvement already effected was very great, and every day it became more manifest; and if Gentlemen would only watch its operations, and wait a reasonable time, he was persuaded that they would be as partial to it as he was.

Mr. *C. W. Wynn* was also of opinion that the present system was a great improvement on the old system. He knew no duty more imperative on every government, and none that, being well performed, was more the sign of a well-regulated State, than that of providing an efficient police. An efficient police required that it should be controlled by one head, so that every parish could not establish a system of its own. That was the case under the old system, to which he did not wish to see the country return. At the same time he was of opinion, that the expense of the police, which must be very different at different places, ought to be paid by local funds. Every parish, he thought, ought to pay the expense of its own police, and bear its own burthen of expense. So far did he carry this principle, that he did not approve even of the police magistrates being paid out the public purse, who ought, he thought, to be paid by a rate levied on the parishes that required their services. He liked the present system, because, though it was efficient, it was not a military system, and he hoped that it would supersede the military police that was now employed on several occasions. A force of this description was far more consonant to the principles of our Constitution than those bodies of military who at various places yet performed the functions of police. A military force was necessary in all large towns, to be had recourse to when occasion required it, but nobody could wish to see it employed unless in cases of urgent danger. With a good system of police he hoped to see the necessity for having recourse to the military done away, and that the police would perform all the functions of the military in taking care of towns.

Sir *Richard Vyvyan* thought he was justified in the view he took of its being the intention of the right hon. Gentleman to supersede all the ancient institutions of the country, by what he had said when he brought the subject under the notice of the House of Commons. The hon. Baronet then quoted a passage from Sir Robert Peel's speech on moving for leave to bring in the Police Bill, in which he stated that "the country had outgrown its institutions," to justify the assertions he had made. If there were one institution which more than another contributed to keep alive the spirit of liberty, it was that which entitled every man to share in the administration of justice, and called on him in turn to take his part in seeing that the laws were obeyed. He trusted that he should never see the system extended to all parts of the country. The right hon. Secretary had proposed to give the benefits of his plan to the City of London, but the Corporation had wisely resolved to keep their affairs in their own hands, and resist the introduction of the police into the City. He had never described the present police as a military body, but he objected to it that it was a large organized force, which might be increased to a great extent—the funds for paying which were not under the control of Parliament, and which was entirely moved by the will of the Secretary of State. The Government was concentrating in its own hands the power of local magistrates, and superseding all constables and other officers elected by the people. He admitted that the present police had several advantages over the old system, but he did not like it because it was under the control of the Government. He hoped that the Corporation of the City of London, which in former times had defended its own liberties and the liberties of the kingdom against an arbitrary Monarch, would not now surrender them into the hands of a Secretary of State.

Mr. Alderman *Wood* wished to observe that the right hon. Secretary had never offered to impose the police on the City of London, but the police institutions of the City had been examined, and they were found to be imperfect, as well as those at the west end. These imperfections, however, were left to be removed by the Corporation, and the subject had been under its consideration for three or four months. The result, he believed, would be, that the City would adopt a system like that carried into execution for Westminster. There had been, it was true, some opposition to the measure in the City, and he believed the oppositionists had communicated with his hon. friend, the member for Cornwall. According to the calculations which had been laid before the Corporation, the present system of watching the City cost about 36,000*l.* per year, and it was calculated that the new system would not cost more than 30,000*l.*, so that there would be a saving of 6,000*l.* a year, and the City would have an efficient day police of 100 men. He believed, the principal reason why there was an opposition to the new plan in the City, was that many of the citizens liked their old watchmen. They were accustomed to see an old fellow go his rounds, his face was familiar to them, so was his voice; they liked to hear him call out the hour, and they therefore did not wish to part with their old friends. He had recommended the Lord Mayor to summon all the City watchmen to the Guildhall, and there have a review of them. He thought that would be an effectual way of showing their inefficiency. Nobody was better able to speak of the behaviour of the new police than the magistrates who were present at the Old Bailey. He had been there himself, and he noticed a marked improvement in the new police as compared with the old. They gave their evidence clearly and distinctly, and behaved so as to deserve to be held in the highest honour. The difference between the present police and the old watchmen was perceived in that court to be as great as possible, and all to the advantage of the new police. The conduct of the men was in general perfectly correct. As for its being a military force, the City Marshals and the Marshals'-men, with their regimentals, were a far more military looking body than the new police of the right hon. Secretary. He hoped soon to be able to bring forward a bill for establishing such a new police in the city.

Sir *R. Peel* begged to be allowed to explain. He was never more surprised, than to find a debate of this kind brought on without any intimation having been given, or any notice even that a petition was to be presented; and not merely a debate, but an attack on him. The hon. Baronet came down with scraps of his former speeches, and endeavoured to prove that he wished to change the institutions of the country. The hon. Baronet said he was glad that the City of London had resisted the Secretary of State, as it had formerly resisted an arbitrary Sovereign, and had escaped the control of the new police. The fact was, that he had told the City that he would not concern himself in any way with its police, except by giving it all the documents and papers connected with the Westminster police, which could be of service to the City in forming an improved police. He never had attempted to interfere with the City; he had no desire to control the City of London, and wished that its police should be improved under its own municipal authorities, and not under the authority of the Secretary of State. He did say that the country had outgrown its institutions; but he applied that remark only to its police institutions. If the hon. Baronet thought that there should be no other institutions now than those that existed in the time of Alfred, he was much mistaken. The owners of property now would complain loud enough, if, under the present circumstances of the country, there was no other justice than that which was instituted when Alfred reigned. The hon. Baronet's respect for antiquity carried him too far when he found nothing to admire but the institutions that were framed 600 or 700 years ago. He hoped every populous place would provide itself with a police, but he by no means wished that the police of every town should be under the control of the Secretary of State. There was no other effectual way of checking crime than that of having a good police. To show that he did not wish to control the police, that he did not want any patronage from it, he would mention that he had not made one single appointment, but had left all the appointments in the hands of the Commissioners, making them responsible for the persons they recommended. The present system was a great deal better than the old one, under which the Parochial Authorities made a great number of very improper appointments without being either efficient, active or united.

Mr. *Trant* complained of the police because they would not make the parish Authorities acquainted with the disposition of their force within the parish. He knew that this had occurred in Mary-le-bone. The vestry had requested to be informed how the police force was disposed of in the parish, and the information was refused.

Mr. *Ross* defended the Police for not complying with the vestry's request. The Vestry wanted to know the beat of every man in the district, which the Police very properly refused to tell.

Mr. *Robert Gordon* thought the Police very good, and that it had answered very well. He begged his hon. friend, the worthy Alderman, would inform him when he meant to have the review of the City watchmen, as he would certainly attend. He heard the constitutional jealousy expressed by his hon. friend, the member for Cornwall, with much pleasure, but he could assure him, that on the present occasion it was thrown away.

Mr. *Baring* highly approved of the Police, and thought that it was a great advantage that it had a military character. It would be, in his opinion, a great benefit that 3,000 or 4,000 men could be assembled on any occasion accustomed to the manners of the people. The military, when called out, executed that duty very well, but he thought it would be better executed by a police. The readiness with which a large civil force could be called into action was, in his opinion, one of the great advantages of the change.

Sir *John Shelley* thought the present system a decided improvement, and well calculated to protect the property and lives of the people both by day and by night.

Sir *R. Vyvyan* explained, that he had read the extract from the right hon. Baronet's speech to shew in conjunction with his conduct, that there was sufficient ground to be alarmed at his proceedings. His objection to the new system was, though he admitted its efficiency, that it gave a new and very extensive power to the Secretary of State.

Sir *R. Peel* wished to state, that he himself was no more capable of managing a police thirty miles from London than of regulating the police of Dublin or Edinburgh. He certainly wished that all the large towns should establish a police, but he did not wish that to be placed under the control of the Secretary of State. He had enough to do without looking after such details. What he wished to see extended was, the plan adopted at Manchester. In that town there was an excellent police, but it was entirely under the control of the local authorities.

Sir *R. Vyvyan* was glad to hear that declaration of the right hon. Baronet, and should the police be confined to the metropolis, many of his objections to it would be obviated.

Sir *E. Knatchbull*, in moving that the Petition be printed, explained that he had not anticipated any debate on presenting the Petition, and had not, therefore, thought it necessary to inform the right hon. Secretary that he meant to present it. The Petitioners said not one word about the police of the Metropolis. What they complained of, and which he thought a fair ground of complaint, was, that the land they held or used had not before been subject to any charge for police. The petitioners were not among those persons mentioned by the hon. Baronet, who desired to be included within the Metropolis Police; but they said nothing in their Petition about the military character of the police, nor did they allude to any topic which could excite a debate.

Sir *Robert Peel* had only protested against entering into a general discussion on such a subject without any notice, in presenting a Petition.

The Petition to be printed.

BUSINESS BEFORE THE HOUSE.] Sir *Robert Peel* felt himself obliged to call the attention of the House to the State of the Public Business, as he was at present deeply interested in the subject. It was necessary to make some alteration in the mode of proceeding, and come to some determination as to the time at which public business should begin, or abandon it altogether. At present it was so deferred, that attention to it was precluded. At that late period of the Session, something ought to be done, or the inconvenience to the public would be very great. He should beg leave, therefore, to submit to the House, in the existing state of the public business, that it would be expedient, for the present Session, and only for the present Session, that the House should come to an understanding, that public business should commence at a definite hour. He would say, that on every day except Wednesday, public business ought to begin at half-past five o'clock. For private business, and for the presenting of petitions, there would then be an hour and a half every day. The petitions, too, might be presented after the public business was done. Gentlemen who were concerned in petitions, when they were of a doubtful nature, would greatly facilitate the business of the House if they would not excite debates on them. He would not move any formal Resolution on the subject, but he was anxious to collect the general sense of the House on the question, whether it would not be desirable to make a temporary arrangement—and to be understood only as a temporary arrangement—that the public business should begin every evening at half-past five o'clock? He did not wish that it should take effect on the present day, but that in future, business should begin at that time.

Mr. *Brougham* had taken the liberty, on a former occasion, of calling the attention of the House to the embarrassment which had grown up in its proceedings, and to observe, that if no change were made in the form of those proceedings, it would be impossible for the House efficiently to transact the business of the country. The evils, which were now so great, had rapidly increased within a few years. In former years there was a regulation, not formally made, but tacitly acceded to, according to which former Speakers, and, he believed, even the present Speaker, called forward the public business at a certain hour, it being understood that if a discussion should take place on presenting any petition, it should not be interrupted, but that, after a certain time, no new matter but public business should be brought forward. On three or four occasions that regulation had been departed from. When petitions were presented on subjects of importance, on which it was necessary to gather the public sentiments, then an exception was admitted, and the public business did not begin so soon. That was the case when the Property-tax, when the Orders in Council, and when the question for the renewal of the East India Company's Charter, were under discussion. During this Session the evil to which he had alluded—and evil he must call it—had grown to such a height, as to be alarming. It prevented all public business, not merely from being satisfactorily discussed, but from being discussed at all. It was not that great public questions had not a fair chance to obtain discussion, they had no chance at all. Petitions were presented and discussed from individuals, or relating to subjects that only interested the individuals who presented them, and had little or no relation to any great public question; the consequence was, that though they had said a great deal, and sat late, they had done very little business. The House had sat, on an average, from forty-five to fifty hours every week, and as Wednesday was not to be included, these hours were to be divided amongst four nights, making eleven or twelve hours the House had sat every night. But though it had sat so long, he could not say that it had done much business. When they came to debate questions of great public importance, of universal interest, the hour was so late that the attention of Gentlemen could not be kept awake, and sometimes they could not be even kept physically awake, so that such questions were discussed by minds jaded and fatigued, and little able to discuss them with that attention which ought to mark the character of a deliberative assembly. He agreed, therefore, with the right hon. Gentleman, that the House should for this Session fix some hour at which the public business should commence. He had formed a plan for the future management of business, but he would not at that late period of the Session, enter into it—he would only say, that he cordially approved of the recommendation of the right hon. Gentleman.

Mr. *Bright* had intended to ask the right hon. Baronet a question connected with the subject he had brought before the House. But after the observations he had heard, he must say, that he considered the presenting petitions one of the most important parts of the business of the House. By petitions they were able to learn what were the feelings of their constituents, and to obtain more practical information than by any other means. He was not prepared to say that the House ought to give over receiving petitions at a certain time, in order to enter into what was called a grand debate. He hoped, if that were the case, however, that business would not be postponed till two or three o'clock in the morning, when a great quantity was transacted without being investigated. He would recommend that the private business should be postponed till after the public business was transacted, or till after midnight [*no, no*]. Then Gentlemen who were anxious to attend private business, might do so without impeding the public business.

Mr. *C. W. Wynne* approved of the recommendation of the right hon. Gentleman; but he believed that even if that were carried into effect, the business was so retarded, that he was afraid, however hard it might be on the Speaker, and on his Majesty's Ministers, that the House would have to recur to a former practice, and meet at twelve o'clock every day.

Mr. *Littleton* suggested, that it would expedite business if more bills originated in the House of Lords. Out of sixty-three bills last year only one had been brought in there, whereas eighteen might have been brought in.

Sir *R. Peel* observed, that he understood it to be the wish of the House, that, after Thursday next, the Speaker should call on public business at half-past five every day.

Mr. *Brougham* said, that if any private matter were under discussion at half-past five, it ought to be allowed to be concluded.

Sir *R. Peel* assented to this proposal.

EMIGRATION.] Mr. *Wilmot Horton* presented a Petition from Frome, praying means of Emigration for certain Paupers who were willing to leave the country. He could not allow that opportunity to pass, notwithstanding what had been said about making speeches on presenting petitions, without saying a few words on the subject to which the petition related. The petition stated, that of 14,000 persons in the parish, one-third habitually or casually received relief, and able-bodied workmen were not able to find employment. It appeared by the petition that the parish allowance was so small that the people could hardly subsist, and that the majority of them would gladly emigrate to our colonies. The petition further stated, that if the parish could borrow money, to be paid back by instalments, for the purpose of carrying the paupers away, that expedient would be most gladly had recourse to. A bill to enable parishes to do that he had introduced into the House, but the state of public business had been such, that he had been unable to get it discussed. If that measure were passed, a number of individuals would go to our colonies who now went to America, and were lost to this country, besides those whom parishes would send from destitution and idleness here, to plenty and industry in our colonies. He would not occupy the House with noticing all the applications he had received on the subject of this bill, and all the letters he had received testifying to the propriety of the scheme. It gave him great pleasure, however, to find, that it met the approbation of men of science, as well as of practical men engaged in the management of the poor. With the permission of the House he would read the opinions of one or two eminent men which had been addressed to him. [The right hon. Gentleman accordingly read an extract of a letter from Mr. Tooke, the author of a work on Prices; from Mr. Malthus, author of the "Essay on Population," and Mr. Hodges, a magistrate of Kent, expressing their approbation of the right hon. Gentleman's letters on the "Causes and Cure of Pauperism." He would not enter further into the subject, as he knew it was not agreeable to the House; he would only say, that in his opinion, little benefit would be conferred on the poor by the remission of taxes, and he believed that they would not be effectually relieved till some comprehensive scheme was adopted to remove from our land the superabundance of labour.

Mr. *Trant* was of opinion, that our people would have found employment enough at home if it had not been for the Free Trade system, of which the right hon. Gentleman was an admirer.

Mr. *Slaney* complimented Mr. Wilmot Horton on the great attention he had paid to this ungrateful subject. He had himself been an unworthy labourer in the same field, and had striven to lighten the load of poverty and misery. Something more might yet be done, he thought, by remedying the abuses which had crept into the Poor-laws. Great improvements had already been made by committees of that House inquiring into the subject, and he had no doubt that still greater improvements might be effected by the same means.

Mr. *Baring* thought, that this was one of the most important subjects that could occupy the attention of the Legislature, and he concurred with the last speaker that much might be done by improving the administration of the Poor-laws, particularly if that were combined with some scheme like that of the hon. member for Newcastle. He conceived that there was but one radical cure—that of providing the poor with means to emigrate, taking care, by a wiser administration of the Poor-laws than at present, to prevent the subsequent increase of paupers: emigration would alike benefit the mother country and the colonies. Taking the whole world into consideration it might be doubted if the population had ever much varied; and while the population had in latter times increased in Europe, in Asia it had decreased. At the same time it was very beneficial to that part of the world which was at any particular time too fully peopled, to find a vent for its population; and he was to be looked on as a benefactor to mankind, who shewed them how they might more equally spread themselves over their heritage. At present families might go to Canada from this country at as small a cost as from Boston; but the great difficulty was in giving parishes the power of burthening themselves with debts, in order to obtain a great present relief. This was, he thought, a proper subject for the Government to take in hand, and he did not doubt, if it were to do that, but some effectual means of relief might be devised.

Lord *John Russell* begged to return his thanks to the hon. member for Newcastle for the pains he had taken with this subject; but at the same time he was of opinion, that it was one that could only be successfully prosecuted by the Government. He was also of opinion, that the system of emigration, and an improved system of Poor-laws, should go hand in hand.

Sir *Robert Peel* also thought that his right hon. friend deserved great praise for his exertions. He would recommend him not to tie the House down to the details of his plan, and he would probably find many Members who would agree with him in principle. It was his opinion that a great advantage would result from encouraging capitalists to settle in the colonies. They would have both motives and means to take labourers with them, and would carry off some of our superfluous hands, without putting the parishes to an expense, from the effects of which they might never relieve themselves.

Mr. *Wilmot Horton*, on moving that the petition be laid on the Table, said, that it was a mistake to suppose that his plan would entail a permanent burthen on parishes. The object he had in view might be effected by three years purchase, if he might use that phrase, of the existing poor-rates. The debt already existed in the claims of the paupers on the parish; and his plan, instead of augmenting that debt, would diminish it. He admitted that the subject required much consideration before any legislative measures were adopted, and he was only anxious to get the House to take the subject into consideration, being sure that none would have a more permanent influence on the welfare of the country.

Mr. *Baring* wished to observe, that if the right hon. Gentleman's estimate were correct, if three years of the present rate would pay all the expenses of emigration, then certainly the parishes might find means to carry the plan into effect. He was glad to hear what fell from the right hon. Gentleman, though he was apprehensive that he laboured under a mistake in supposing that middle-men or capitalists, would be advantageous to our colonies. They must be speculators in land, and would do injury to the welfare of the people. Already they had been an impediment in the way of Government settling the colonies. Giving the right hon. Gentleman credit for the best intentions, he was apprehensive that, were his wishes carried into effect, much jobbing would be the consequence. In Canada, in Prince Edward's Island, and other colonies, where middle-men were established, they were the bane of those settlements. They were like dogs in the manger; they possessed land which they could not use themselves, and would not allow other people to use. It would be far better for the Government to open an office in the colonies, and transfer at once to the settlers the spots they were permanently to occupy.

Mr. *M. Fitzgerald* said, that the hon. Member had mistaken the suggestion of his right hon. friend, which was neither more nor less than to encourage capitalists to settle in the colonies, who would necessarily carry labourers with them, or invite them to follow. Already that system had been acted on, and it was well known that for several years past from 20 to 30,000 persons had emigrated annually, without any expense to the public. Those persons who emigrated with capital formed the middle class in the colonies, and provided employment for the labourers. His right hon. friend's plan was confined to relieving those who were in misery at home, but they ought not to be landed in the colonies in a state of destitution; and it was of great importance, therefore, that capitalists should be on the spot, or prepared to go thither, and find the labourers employment on their arrival.

Petition to be printed.

COMMERCIAL RELATIONS WITH PORTUGAL.] Mr. *Hyde Villiers* rose to bring forward his Motion regarding Portugal, and commenced by stating his reasons for having hitherto postponed it. He had been very desirous to introduce it at an early period of the Session; but he had, in the first instance, given way to the hon. member for Shaftesbury, who submitted a general question on the state of the nation; and he had subsequently been induced to delay it still further, owing to the absence of the right hon. Secretary for the Home Department. The result had been not only disadvantageous personally to himself, but of that he would say nothing, but also disadvantageous to the cause he advocated. It had been his intention originally to move for the appointment of a Select Committee, but he had necessarily changed it to a motion for Papers; and one advantage of this course would be, that it would render it less necessary for him to trespass long on the patience of the House. He was well aware of the humble situation he occupied in it, and if he were compelled to include in his observations matter that might more properly have been offered to a Select Committee, he hoped, under the circumstances, to be excused, and that due allowance would be made for the difficulties under which he laboured. He only hoped that the same indulgence would be extended to him which was ordinarily shown to other Members equally inexperienced. Our commercial relations with Portugal were at present regulated by two treaties—namely, the treaty known by the name of the Methuen Treaty, concluded in 1703; and the last commercial treaty, concluded at the Brazils in 1810. The main object of the Methuen Treaty was to regulate the interchange of two commodities between the two countries; viz. the wines of Portugal, and the woollens of England. The conditions, however, were very unequal; for while it was provided on the one hand that the woollens of England should not be prohibited in Portugal, without specifying the rate of duty at which they should be admitted, it was provided on the other, not only that the wines of Portugal should not be prohibited in England, but that they should be admitted at a rate of duty a third less than the wines of France. The Treaty of 1810 was of a more detailed and extended nature. By that Treaty it was provided that fifteen per cent should be the *maximum* duty imposed on the importation of such British commodities as were admitted into Portugal. Since the year 1703 different governments in this country had had it very much at heart to get rid of the Methuen Treaty, and had even taken preliminary steps for that purpose; but some accident or other had always intervened, and prevented the attainment of the object. In 1810, when our last commercial treaty with Portugal was concluded at the Brazils, when this country, as was well known, was in close alliance with Portugal, the Methuen Treaty of course came under consideration; and although it was determined that it should be continued, yet that determination was accompanied by a reference to a subsequent revision. By the Treaty of 1810 it was declared, "that the stipulations of the former Treaty of Commerce between England and Portugal, for admitting the wines of Portugal into England on the one hand, and the woollens of England into Portugal on the other, should, for the present, remain unaltered." It was clear by this provision, that the Methuen Treaty was to remain unaltered only "for the present;" that was, only to the end of the fifteen years for which the Treaty of 1810 was positively to run, and then to continue only as much longer as both the contracting parties might think proper; it being evidently competent to either party, at the expiration of the fifteen years, to claim a revision of the Methuen Treaty, and to give notice that it should be either partially or altogether suspended. It had been competent, therefore, for this country, ever since the year 1825, to require a revision of our commercial regulations with Portugal. No doubt such a requisition must be preceded by some preliminary measure on our part. What that ought to be he would not touch upon, as it was not necessary to his immediate object; and he hoped, also, that no hon. Member would prolong or perplex the discussion, by any allusion to a subject which had already been so amply discussed. There was no person more disposed than himself to respect that prerogative of the Crown, by which it was entitled to enter into and conclude such treaties with foreign States as should be thought fit and reasonable by its responsible advisers. The initiative in such negotiations must always remain with his Majesty's Government. But, on the other hand, it was always competent to Parliament, which was to provide for the execution of treaties, to revise and judge of their stipulations at any future period. The circumstances under which the Methuen Treaty was concluded, were very different from those of the present time. In the year 1703, the animosity against France, and the apprehensions of her designs, were at the highest point in this country. In Portugal there was, on the contrary, a party strongly attached to France; and even the King of that country long wavered before he would consent to the alliance with this country, which was concluded by Mr. Methuen at the same time that he concluded the Commercial Treaty. Indeed, the only thing that could be said in favour of the Commercial Treaty was, that it served to bribe the government of Portugal into the Treaty of Alliance. It was indeed contended, that the Treaty would open the Brazilian markets to our woollens; but if that apology were then tenable, it would not apply now, when the Brazils were open to us, without going through Portugal. But the faults of that Treaty were seen at the time. Mr. Methuen's conduct in that affair was spoken of by writers of authority, though of very opposite opinions, Swift and Burnet for instance, in terms of great disparagement, which might be considered as well merited, considering the treaty which Mr. Methuen was employed to ratify, and which it was the misfortune of the House to have to take under consideration. The effect of that Treaty at first, was only permanently to destroy the trade with France, which the war had then interrupted. It was reserved however for the Marquis of Pombal to perceive the full consequences of the Methuen Treaty, and in 1706 that minister created one of the most extraordinary monopolies that ever distressed a State, or disgraced a government; and that monopoly, strange to say, had existed from that time to the present. The Wine Company of Oporto vied with the Inquisition in the powers they possessed, and the use they made of them. This monopoly, so oppressive to Portugal, so noxious to England, so opposed to repeated treaties and solemn engagements, the powers of which were more suited to the General of an invading army than to a commercial Company—this monopoly, supported by the Methuen Treaty, and, through that, at the expense of the British people, had been allowed to continue unchecked. He knew no other instance of two countries originally concerting together for mutual advantage, the effect of which had been so great an amount of injury to one of them. He proposed, first, to give a brief outline of the powers of this Company; next, to show what its bearings were on existing treaties between Great Britain and Portugal; and thirdly, what its practical effects were on the commerce of this country, both as respected the consumer and general dealer with Portugal. Every person knew for how long a time the community of this country had been compelled to injure their health by the use of a certain repulsive liquor, mixed with brandy and drugs, denominated Port-wine; but it was not every person who knew how that had happened, and that was a point which he intended to explain. For certain alleged objects, the nature of which was well understood by the minister of Portugal, the Oporto Wine Company was endowed with the most extraordinary powers. It was, indeed, an *imperium in imperio*. It was a court of privy council, and possessed judicial, executive, and legislative authority. [The hon. Member here read an article from the constitution of the Company, by which it appeared, that the Company was to have immediate access to the Royal person; that all its acts were to have the same authority as if proceeding directly from the King; that it was to be independent of all tribunals, and to have a Judge Conservator of its own, from whose decision there was no appeal.] The hon. Member stated, too, that this Company carried its decrees against smuggling into effect by a military commission, and that 265 persons had, in a very short space of time, suffered exile or death, with the confiscation of their property, in consequence of the decrees of the Company's court. All these circumstances had some bearing or other on British interests. By the Treaty of 1654, which was the great charter of British rights and privileges in Portugal, the right was conceded to the British of having a Judge Conservator of their own, from whom there should be no appeal but to a committee of senators. But the Wine Company assumed authority to decide with respect to British property, and that, too, without any appeal whatever. Its Judge Conservator superseded the powers of the British Judge Conservator, and dealt with the rights of British subjects as it suited the interest of the Oporto Wine Company. Soon after the formation of the Company, so injurious were its effects found to be on British rights and privileges in Portugal, that the Lords of Trade in this country drew up a report on the subject. As it was his intention to move for this, among other papers, he would read to the House only a few lines from it. [The hon. Member read an extract from the report, complaining of the unlimited powers of the Company over-riding the decrees of the British Judge Conservator, stopping British subjects from recovering their debts, obliging them to submit to its decisions in cases of their having any claims on bankrupt property, and forming altogether the complete and constant violation of the privileges to which, by Treaty British subjects were to be entitled in Portugal.] By the Treaty of 1654, which he had just now quoted, the British were promised generally security for their property, but expressly for their dwellings and warehouses. Yet the Company never scrupled to seize whatever dwellings or warehouses belonging to the British they thought proper. It was also provided by treaties that the British should be unrestrained in the commerce by any monopoly, or affected by fixed prices, and have liberty to sell or export whatever goods they chose. But this Company allowed no wine to be exported but what came from their own district, limited the quantity, fixed the price, and determined the quality. They also had the exclusive monopoly—which was every thing in a wine country—of the distillation of brandy, and the importation of foreign brandy; and all their privileges were supported by severe penalties against all offenders. [The hon. Member read another extract from the memorial of the Lords of Trade, describing the privileges of the Wine Company as oppressive violations of British rights and privileges, and the Company as having for its object, to exclude the British factory from any commerce or concern with the wine trade.] Notwithstanding the able and conclusive report which he had just quoted, the grievances of the British remained almost without hope of redress, until the Treaty of 1810 came to be negociated, in which provisions were to be expressly framed for their removal. In order to facilitate that object, his Majesty's Government in this country applied to the British merchants at Oporto to dissolve the factory they had there established, which was a sort of recognized corporation, framed for the superintendence of British interests against the encroachments of the Company. The merchants consented to dissolve the factory. An arrangement was at the same time made to repeal the English Navigation Laws in favour of Portugal, and in return it was provided, by the 8th article of the Treaty of 1810, that the British should not be restrained in their commerce, injured by monopolies, or in any way interfered with in buying and selling, or restricted in their dealings to any company or body whatever. By the 25th Article of that Treaty, his Britannic Majesty waived his right to create corporate bodies of merchants or factories in Portugal, provided that the trade of his subjects should not be restrained by any monopoly or commercial company whatsoever. Such were the provisions introduced into the Treaty for the redress of injuries of so long a standing. The Treaty being concluded, the English factory dissolved, and the Navigation Laws repealed in favour of Portugal, what did the Portuguese government do?—Notify that the Oporto Wine Company was dissolved, or its powers restrained? No such thing. But the government notified its intention not to carry into effect the provision of the 8th Article of the Treaty, or to dissolve, restrain, or in any way interfere with the Wine Company. Remonstrances were sent out to the Secretary of State at Lisbon, who referred the case to the Court of Brazil; but it was some time before the reasons of so extraordinary a proceeding on the part of the Portuguese came to light. It was thought by some that the Court had touched something better than the Company's Wine, but so scandalous an aspersion against an illustrious family could not surely be true. It was alleged by the Portuguese government, that the Wine Company was not mentioned by name in the Treaty, and moreover, that whatever might be the provisions of the Treaty, it would be repugnant to the feelings of the Portuguese Monarch to effect the extinction of that Company at the request of a foreign Power. The late Mr. Canning, under whose auspices the Treaty had been concluded, brought the question before that House, and the government of the day sent out Lord Strangford to the Court of Brazil, where that Nobleman presented a spirited memorial to the Emperor, describing the conduct of Portugal as a positive breach of faith, and stating it to be the determination of the Prince Regent not to suffer treaties to be violated with impunity. The memorial added, that it was the determination of his Majesty to propose measures to Parliament for encouraging the importation into Great Britain of other wines than the Portuguese, unless the internal trade in wine were set free, and the English merchants allowed to buy when and where they pleased before the next vintage. That memorial was one of the documents he meant to move for. What answer was given to it he did not know; but the fact was, the Company continued to exercise the same oppressive powers up to the present moment. He should here close the first part of his case, and he would now endeavour to show what the practical effects were which the Wine Company produced on the British community. That Company had drawn a line of demarcation round a small district in the neighbourhood of Oporto, of some leagues in extent, and containing different soils. Instead of allowing the British to buy their wine where they pleased, the Company only permitted to be exported what wines grew in their district, some of which it was notorious, were of a very inferior description, while others were of the first-rate quality. But the British community suffered most from that power which the Company possessed, of determining the quality, quantity, and price of the wines they permitted to be exported. The Company divided the wine into two classes;—the first class was called *approvada*, signifying such wine as was intended for exportation to England, where, he believed, it met with little approval; and the second was styled *separada*, which was kept apart for the home market or for exportation to the Brazils. If a wine-grower brought good wine to the market, the Company bought it at what price they pleased, and then mixed it with their own bad wine. It was to this system of adulteration that he wished to call the attention of the House. The Company were always in the habit of supplying the waste of their cellars, which must be considerable, by means of adulteration: one fact would show to what extent adulteration was carried. On one occasion 135 pipes of wine, shipped for the island of Guernsey, on reaching the port of London, after passing through that island, were multiplied into 2,545 pipes. The wine thus made in Guernsey was appropriately called Guernsey Port. The whole of the difference he had mentioned was made up by adulteration with French wines and brandy. White wines, such as used to be drunk in this country were almost unknown, and what we had were made by a class of persons who were described under the name of wine-brewers. Many hon. Members might probably recollect a passage in the *Spectator* in which these persons are described, and in which an account is given of their chemical operations, their working under ground, and their preparing under the streets of London the adulterated products of France, to the great annoyance of his Majesty's subjects, and to the great detriment of their health. Dr. Henderson, in his able and scientific work on wines, appears to think that this statement is, to a great extent, applicable to the present time; for he says that a great quantity of the wine introduced into this country is adulterated before it is used, and is imported only to be adulterated. With a view to show the immense importation of this wine, as contrasted with other descriptions of wine, he would refer to the returns made for two years; namely, 1822 and 1823. In the course of those two years it appeared from the returns that the average importation of Cape wine was more than double the importation of French wine and Rhenish wine during the same period; and that for every bottle of French and Rhenish wine which was consumed in the country there were from two to three bottles of this artificial wine consumed. There could be no doubt that the consumption of artificial wine in this country was even far greater than he had stated. In the two years 1822 and 1823, the importation was, of Cape wine 3,259 tuns, of French and Rhenish wine 1,553, making an excess in the importation of Cape wine of 1,706 tuns. In the year 1825 the duty on French wine was reduced, but still the importation of Cape wine exceeded that of French wine. The annual average importation of French wine for nine years amounted to 1,364 pipes, and the average importation of Cape wine in the same period was 2 434 pipes. Before he quitted this subject, he would mention one or two facts with regard to the proceedings of the Oporto Wine Company. The first was, that the wines of Portugal had never been reduced in price in the foreign markets, in relative proportion to other wines, since the formation of this Company; and the next was, that this Company having enjoyed, in the first instance, the exclusive monopoly of the trade to the Brazils, when that trade was thrown open, its exports of wine to that country fell one-fourth below what had been, and they never since had exceeded that amount. This Company shipped last year, to all the world, except to us, and to the Brazils, only 1,230 pipes; and to us alone it shipped 17,157 pipes. In considering this case as connected with the commerce of the country, he could not avoid reverting to what had been the line of policy pursued by our Government for a long period. It was important in this place to advert to those restrictions which had been maintained for many years in this country upon the importation of French wine under the treaty of this country with Portugal. At a period long antecedent to that Treaty, there was reason to believe that the wines of France formed a common beverage in England. We read of them in the old chronicles as selling at no higher price than 6*d*. or 8*d*. per gallon. We read in those chronicles, too, of large fleets of 200 sail going out to Bordeaux for wine. We read of 400 pipes of wine being consumed in the reign of Henry 4th, on the enthroning of an Archbishop; and we read of the Earl of Shrewsbury's family, when Queen Mary was committed to his charge, consuming four pipes of this wine upon an average in the month. Many persons appeared inclined to attribute the change which afterwards took place with regard to the consumption of this wine to a change in the taste of the country; but that was not the fact. To prove that it was not, it was only necessary to look to what took place at the time when a change of the duties was made. The last time that the wine trade with France was free was from the year 1686 to the year 1695. The annual average importation of French wine during that time amounted to 13,400 tuns, and of Port wine to 433 tuns. It appeared from the statement of those who made a still more advantageous calculation, including the importations into Scotland and Ireland, that the average importation of French wines amounted, during that period, to 18,000 tuns. In the year 1703, the Treaty of Methuen was entered into, and the importation of French wine then fell to 1,139 tuns, while the importation of Port wine rose from 433 tuns to 8,445 tuns. That was more than a century ago, and he quoted this return to show that since that period the consumption of French wines had not increased, notwithstanding the increase which had since taken place in this country in wealth, in population, and in luxury. The consumption then was 1,139 tuns, and the average consumption of the last nine years amounted only to 1,364 tuns. It was plain that this non-consumption of French wine had been effected by the treaty of Mr. Methuen. In consequence of that Treaty we had been obliged to substitute for a wine which was good and cheap, a wine which was dear and bad. That Treaty was intended to secure to us the markets of Portugal. The Methuen Treaty was a reciprocity treaty, our woollens for their wines was the principle on which it was founded. The limits to which he was restricted would not permit him to go into a detail of the various obstructions which had been thrown by Portugal in the way of the due and fair execution of that Treaty on her part. It would be supposed that under such a treaty we should be supplied with the best quality of wine from Portugal, and to whatever extent we required; but the reverse was the fact. They limited the quantity supplied to us, and they deteriorated it in quality. We supplied them with our best manufactures, and on the cheapest terms they could get them,—we nearly excluded the wines of France in favour of the wines of Portugal,—indeed, he might almost say that we put an end to the whole trade of this country with France for the advantage of the Portuguese; and the return which we got for all this, consisted in contemptible obstructions thrown in the way of our trade, insulting to the national honour, and the commission of direct frauds, which must appear at least nettling to our national vanity. But he grounded this motion upon higher principles than any which had reference to the Methuen Treaty. Still it was necessary for him to advert to that Treaty, as it had been principally levelled against our commerce with France, and the result of it had been to prevent a more extended commerce on our part with that country. His object was, to return to a more extended commerce with that country; and he should, therefore, call the attention of the House to the state of our trade at present with France. He would mention, for the purpose of comparison, the average annual amount of our trade with all parts of the world since the Peace, and the average annual amount of our trade with France during the same period. Our annual average imports for the fifteen years since the Peace, ending the 5th of January, 1829, from all parts of the world, amounted to 34,233,000*l.*; our average annual exports during the same time amounted to 52,938,689*l.* During that period our average annual imports from France amounted to 1,883,844*l.*, and our exports to that country to 1,227,887*l.* Now he would, just by way of comparison, state the amount of our trade with another great Power during that period. He would take the United States as the instance to which he should refer the House; and the House would remember that they were at a greater distance than France, and that their population was not above twelve millions, while that of France was thirty. That country, as well as France, laid numerous restrictions upon our commerce, and yet the average amount of our imports from the United States was 3,936,000*l.*, and the annual average amount of our exports to that country was 6,556,474*l.* This return showed that our imports from the United States were three times greater than our imports from France, and that our exports there were six times more valuable than our exports to France. That was a state of things little creditable either to England or to France. The home trade, it was known, was for every country by far the most advantageous trade; but as compared to America, the trade with France might for us be called a home trade. There was, at least, between the two countries quite as great a diversity of natural advantages of climate, and soil, and situation, as between any two parts of our own country, while the distance was not so great between France and England as between several parts of our own dominions; the habits and manners of the two people were much the same; their industry and ingenuity were equal, though directed to different objects; and there was no earthly obstacle but our own treaties to prevent the trade with France being an extension of our home trade, and becoming, like that, a source of wealth and happiness to the community. The advantages, indeed, of an extensive commerce with France had been often dwelt upon by former statesmen, by such men as Bolingbroke and Pitt, and indeed they required but little argument to place them in a strong point of view. France presented many peculiar advantages for an extended commercial intercourse with this country. She continued to be the first wine-country in the world, and this country, which, as Mr. Pitt well expressed it, had by science and industry also acquired a distinct staple of its own, could exchange its manufactured produce for the wines and raw produce of France, greatly to the benefit of both countries. Each country had its own staple, and they were therefore fitted, and he might say intended, to carry on an extensive commerce with each other. In this small island, the amount of inanimate power applied to manufactures alone was treble that which was so applied in France and all its territory. France was only divided from us by the British Channel, and was nearer even than Ireland to our shores; and yet the amount of our trade with France, after the expiration of fifteen years of peace, was only what he had stated. It was evident, from the great superficial extent of France, extending from the British Channel to the Mediterranean, that it should offer us the most beneficial market in the world. We had complained of the unfortunate state of our iron trade, yet iron was a commodity needed in France, and which might well be taken in exchange for her wines. But France had, since 1814, imposed considerable duties upon the import of iron and other articles of our manufactured produce, though we had no right to blame France upon that ground. We were the first to commence the restrictive system, by the imposition of almost prohibitory duties upon the importation of her wines. Now wine formed the essential basis of her commerce—there were five millions of acres devoted to the cultivation of the grape; the manufacture of wine gave employment to $\frac{1}{10}$ part of the population of the country; and the value of the annual produce averaged 24,000,000*l.* The question, who was it began with the imposition of restrictions, the French or ourselves, was easily answered. The French commenced in 1814, and we commenced so far back as 1703, with the Methuen Treaty; so that, as we were the first to commence the system, we should lead the way in putting an end to it. Why should a treaty like that of Methuen be allowed to continue a mischievous barrier to the extension of the commerce of the country. He denied that we derived any advantages from the existence of that Treaty in our intercourse with Portugal which could be in any respect compared to the advantages which would result from a departure from it. Our supplying the markets of that country with salt fish was advantageous to us; but we possessed that independently of the Methuen Treaty. Portugal was no longer what it was at the date of the Treaty. It was then united with the Brazils, disseminating European refinement through America, and bringing back the wealth of America to Europe. It was now merely Portugal, and its condition was such as to render its commerce of little advantage to any country. Its population amounted to only 3,000,000, and he believed it was stationary, if not actually diminishing. Internal commerce it had none, from want of the necessary communications; while its foreign commerce was daily falling more and more into decay, the kingdom not having a sufficient naval force to defend it against the common pirate. Then it was to be remarked, that Portugal had not a single institution which was not intended to suppress improvement, and choke up the springs of productive industry. Thus, the inhabitants still remaining in that country, were reduced to the lowest ebb of poverty, misery, and degradation; while many others had abandoned in despair a land possessing at this moment but few of the attributes of civilization. Her rich mines were lying idle, her fisheries yielded her no returns, her fertile soil did not give bread to her people, her agriculture was worse than in the days of Julius Cæsar, and her resources were not greater in proportion than those of Poland or Turkey. In fact, she was an example of a country in which the natural springs of national prosperity were stopped or poisoned by monopoly, superstition, and bad government. Was it for such a country that we were to sacrifice the advantages which might be derived from a more intimate commercial intercourse with France? What could we import from Portugal exclusive of wine? It appeared from parliamentary returns that the whole value of our imports from Portugal last year, not including wine, amounted only to 112,000*l.* That was not equal to the trade of one of our smaller colonies, and were the national interests to be sacrificed to such a paltry trade as that? The Treaty with Portugal had been always defended on the ground that Portugal afforded a market for our woollens. Now he would, just to illustrate the effects of that Treaty, state the amount of our exports to Portugal previous to it, and compare that amount with our present exports there. He would, in the first instance, take the average of the four years previous to the conclusion of the Methuen Treaty. The average amount of our exports to Portugal, including the Azores, for the four years previous to 1703 was 728,585*l.*; that was before the conclusion of this Treaty, which was so much to benefit our woollen trade; and the total value of our exports of woollens to Portugal was, in the year 1828, according to the parliamentary returns, only 164,926*l.*, so that the average amount in value of our woollens exported to Portugal previous to the Methuen Treaty was four or five times greater than it was now, after that Treaty had been in existence for a century and upwards. During the same year, the value of the woollens exported to the Brazils was 396,768*l.*, or double the value of the woollens exported to Portugal. He did not deem it necessary to dwell upon the importance to the manufacturing and commercial interests of this country of extending our markets upon the Continent of Europe. Nor should he on that occasion speak of the political advantages of extending our trade with France. He argued this question, at present, in a commercial point of view. He should not, on this occasion, go further than his Motion, though he hoped, upon some future opportunity, to invite the attention of the House to the necessity of adopting some decisive measures for extending our trade with France. He agreed with Mr. Pitt, that it was our interest to be most liberal in our conduct, with a view to secure an increased intercourse with France. He saw no reason, notwithstanding the restrictions which existed at present upon the trade between this country and France, why the day should not soon arise when England and France, by their intimate commercial intercourse, would be as it were bound securely together for keeping the general peace of Europe. He did not think that his Majesty's Ministers were called upon to give any premature expression of their opinions on this subject, but he was sure they were anxious for the period, and it could not arrive too soon, when they might have an opportunity of repelling the idea that they were actuated by anything like Antigallican feelings. The hon. Member concluded by moving for "copies or extracts of the Report of the Lords Commissioners of Trade, with respect to the Wine Company in Oporto, and its monopoly, in the year 1767; also a copy of the Remonstrance of Lord Strangford to the Court of Brazil, in 1813; also copies of all Diplomatic Correspondence relating to this subject; and likewise for returns of the Imports and Exports between this country and Portugal, and between this country and the Brazils, from the year 1800 to the present time."

Mr. *Courtenay*, after complimenting the hon. Member on the ability with which he had brought the subject under the notice of the House, and for the perspicuous statement which he had made with regard to it, assured him that he did not rise to defend the Methuen Treaty, or to controvert his statements, to the greater portion of which he was more willing to give his assent than his opposition. He should not go into the details of this subject on this occasion, and for these two considerations: the first was, that in the present state of the business of that House, even as it stood for that night, it was almost totally impossible to find enough time for the discussing questions of pressing and urgent necessity: and in the second place, he believed that the hon. Member himself would acknowledge, that though his Motion might in itself be unobjectionable, and though it might be useful to call the attention of the House to the state of our trade with Portugal, it would be inconvenient for his Majesty's Ministers, at this period of the Session, to enter upon a detail of their views as to the various topics connected with this subject. He was of opinion that this country was at perfect liberty to revise and reconsider the Methuen Treaty, and he would say further, that Government was disposed to undertake that revision so soon as the state of our political relations with Portugal afforded an opportunity for that purpose. He would further assure him, that, whenever the discussion regarding this Treaty should be renewed with the Portuguese government, the just causes of complaint to which he had referred would not fail to be urged as they deserved. He should not oppose the production of the greater part of the papers moved for by the hon. Member. He was willing to accede to the production of the Report of the Lords of Trade, the remonstrance of Lord Strangford, and the Import and Export returns; but the diplomatic correspondence for which he moved, the hon. Member must see could not at present, with propriety, be produced, as it might have reference to many public transactions and negotiations yet in progress. He would repeat, that in a great portion of the statements of the hon. Member he perfectly concurred. It appeared to him that there were only a few points on which the hon. Member was mistaken; but in all such statements as those which he had made, a little exaggeration almost unavoidably crept in. He could not promise the hon. Member that any government would undertake to rescue the country from the mischief which it suffered owing to the strange conduct of the foreign wine-grower. That was not owing to the uncertainty of our relations with the Portuguese government, but to other circumstances, quite unconnected with it. Acting upon the principle which he had already avowed, he hoped that the House would not think that he was acting disrespectfully to it if he declined, on the present occasion, to make any further observations.

Mr. *Robinson* hoped, that he should stand excused if he ventured, on the present occasion, to make a few remarks on the statement which had been made by his hon. friend. He saw clearly that it had made, and very justly, a considerable impression on the House. He wished to do all justice to his hon. friend, both for the attention which he had bestowed upon the subject matter of it, and for the talent with which he had that evening placed it under the consideration of the House. But as he knew, even from his own short experience in Parliament, how apt Members were to run away with statements in search of new projects to extend the commerce of the country, he must claim the indulgence of the House for a short time, whilst he proceeded to correct some of the statements of his hon. friend. He should follow the example of his hon. friend, in not dwelling upon the present state of our political relations with Portugal. His hon. friend had confined his observations to the present state of the commercial regulations existing between the two countries; and he should therefore confine himself within the same limits. His hon. friend had designated the Methuen Treaty as one under which we had the misfortune to live. He could not join his hon. friend in the opposition which he had offered to the continuance of that Treaty, nor in the statements which he had made respecting the disadvantages of our present commercial regulations with Portugal. He admitted that our relations with Portugal might be attended with disadvantage in a political point of view; but he contended that in every practical point of view, they were of greater advantage to us than any which we had contracted with any other European nation. He wished with all his heart that there were no circumstances which forbad the extension of our commerce with France. He hoped that the time would soon arrive when the circumstances to which he alluded would cease to exist; and he would cordially concur with his hon. friend in forwarding any rational plan for extending the commerce between England and France, nations which appeared reciprocally formed to supply each other's wants, though now carrying on little or no trade with one another. In speaking of our trade with Portugal, his hon. friend had brought under the notice of the House the inconsiderable amount of our imports from Portugal. His hon. friend had said, that the import of all articles from Portugal, wine excepted, did not amount one year with another to 100,000*l.*; but his hon. friend had forgotten to notice in his statement what was far more important, that in the year 1829, a period antecedent to the interruption of the commercial regulations between Great Britain and Portugal, the amount of British and Irish exports to Portugal exceeded 2,500,000*l.* Unfortunately he observed in the Official Returns of this year a diminution of no less than 750,000*l.* which undoubtedly was much to be regretted, but which was to be attributed to the disturbed and distracted condition of the internal relations of Portugal, rather than to any want of demand for the consumption of British manufactures in that country. His hon. friend repudiated the trade of Portugal, but invited that of France. Now, if his hon. friend had been kind enough to inform the House how that trade was to be obtained, he would have conferred a great boon not only upon the House, but also upon the country. Until the government of France changed its present system of commercial policy, it would be impossible for us, however willing we might be, to extend our commerce with that nation. He believed that events were even now in progress which would ultimately work that change, and that the opinions of all enlightened men in France were now verging to that point which would at last produce that consummation for which every friend to commercial freedom must now devoutly wish. That state of things was not, however, yet in existence. He would, therefore, tell his Majesty's advisers, that if they forfeited the advantages which this country derived at present from its trade with Portugal, without stipulating expressly with the government of France for countervailing advantages, by opening the trade in wine to its subjects, they would be giving up a substantial good for a mere empty shadow. He admitted that the monopoly of the Oporto Wine Company was a monstrous evil. It was one to which the Government of this country was perfectly alive, and on which he believed that it had made frequent representations to the government of Portugal. As, however, the Treaty of 1810 was now at an end, the fifteen years of its continuance having expired, and as the government of Portugal had given our Government notice that that Treaty must come under revision, he trusted that in forming the conditions which our Government might be induced to demand of Portugal, the circumstance would not be overlooked, that Portugal was almost exclusively supplied with British manufactures. He should not follow his hon. friend into the discussion upon the quality of the wines of Portugal, into which his hon. friend had entered, though it was quite irrelevant to the subject matter of his Motion, for he did not know what we had to do with the adulteration which those wines underwent in Guernsey and Jersey when considering the trade which we carried on with Portugal. The wines of Portugal were the favourite beverage of this country, and in more general consumption than the wines of any other nation; and he would assure his hon. friend that if ever the wines of France were as generally drank here as those of Portugal, both would be liable to the same adulteration. He must, notwithstanding the impatience of the House to press on to the other business of the evening, advert to one other subject connected with this question, which he considered of great importance. He took as the House was probably aware, a deep interest in the welfare and prosperity of one of our colonies, which carried on a flourishing trade with Portugal—he meant Newfoundland. That colony absolutely existed in consequence of the low rate of duty at which British fish was introduced into Portugal; and he said, that if Ministers should not be able, whenever the Treaty with Portugal was revised, to secure the same advantages for the introduction of British-cured fish into Portugal, that colony would be decidedly ruined. The consumption in Portugal amounted to one-third of the fish cured in Newfoundland, which was admitted into Portugal at a rate of duty ten per cent lower than that paid on the fish cured by any other nation; so that the fish cured by the French and Americans was excluded from the Portuguese markets, and we were left to supply them entirely. In that respect a very extensive and beneficial trade to this country was carried on between Portugal and our colonies, which was not merely of advantage in a pecuniary point of view,—it preserved our fisheries, it increased the number of our hardy seamen, and it tended to preserve our maritime superiority. Should, unfortunately, any commercial dispute occur by which Portugal should lose the advantage of having its wine introduced at a rate of duty lower by one-third than the rate of duty imposed on the wines of other countries, Ministers might depend upon it, that the government of Portugal would admit into that country foreign manufactures and foreign goods at a lower rate of duty than it did at present. We might be insensible to the value of our trade with Portugal, but France was not. France was jealous of our monopoly of trade with Portugal; and France, that very country which his hon. friend asked them to trade with, though he did not vouchsafe to inform them how they were to do so, was anxious to secure to itself those advantages which we seemed so anxious to throw away. Let the Government, therefore, take care that the country did not lose all the advantages which it now derived from our connexion with Portugal, without securing those which his hon. friend held out as a lure for engaging in commerce with France. He would not go so much at length as he had originally intended into the answer, which he had in his power to give to his hon. friend's statement. He concurred with his hon. friend in all that he had said respecting the injurious consequences of the monopoly of the Wine Company at Oporto. He concurred with him in thinking, that if Government could devise any mode by which the country could obtain the admission of its manufactures into France, the trade of Portugal might be given up without regret; but at the same time he must remind his hon. friend, and the House at large, that in an anxious desire—which, by the by, was the vice of the present day—to look out for new sources of foreign trade, they ought not to overlook the advantages which they enjoyed already from trade moving in those channels in which it had long been accustomed to move with security and profit. The hon. Member concluded by thanking the House for the attention with which they had listened to him whilst expressing his opinions on a subject which he considered of paramount importance.

Mr. *Huskisson* said, that he would not detain the House at any great length upon this subject, after the very able and perspicuous statement made by his hon. friend behind him respecting our commercial regulations with Portugal since the signing the Methuen Treaty. He had observed upon a former occasion, that all that we had obtained as an equivalent for the privilege which that treaty gave to Portugal of introducing its wines at a duty one-third lower than the duty which we imposed upon the wines of France, was, that British woollens should be imported into Portugal, but without any preference to the woollens of other countries. Before the signature of that treaty, the introduction of foreign woollens into Portugal was totally prohibited; and the equivalent which we obtained for the privilege which we conferred upon the Portuguese wines was the admission of our woollens. Now, there could be no doubt that we might put an end to that treaty. He would not be content with saying that we might put an end to that treaty—he would say that we ought, and that too, for this reason. The only privilege which we obtained as an equivalent for those which we extended to the Portuguese, was the admission of our woollens into that country. Now, for many years past, the prohibition on the admission of woollens, the production of other countries besides Great Britain and its dependencies, had been removed; and, therefore, the woollens of Great Britain stood in no favour, so far as the policy of the government of Portugal was concerned, over the woollens of other countries. The advantage, therefore, of importing the wines of Portugal at a duty, only two-thirds of that imposed on the wines of France, was now given without any consideration in return, and ought, therefore, to be withdrawn. He differed a little from his hon. friend as to the policy of the treaty into which we entered with Portugal in the year 1810. He thought that if in the Methuen Treaty this country had made an arrangement disadvantageous to British interests, it had by the treaty of 1810, in consequence of its relations with the family of Braganza, then exiled from its European dominions, obtained concessions and privileges highly advantageous to it, and greater perhaps than were just to the other contracting party. By that treaty the Methuen Treaty was continued—we gave to Portugal the privilege of importing its wines at two-thirds of the duty imposed upon the wines of any other country, and Portugal bound itself to us to receive all articles, the manufacture and produce of Great Britain, at a rate of duty not exceeding fifteen per cent on their value, whilst the same articles, being the produce of other countries, were to pay a duty of twenty-five per cent. Now, when we bound ourselves to grant to Portugal an inequality of duty upon one article only of its produce, it was scarcely fair to demand from Portugal that she should receive all articles of our produce and manufacture at a rate of duty so much less than that which she imposed on the same articles when imported from other countries. He was of opinion that in all treaties of commerce the great object should be, to establish a complete reciprocity between the two nations who were parties to them. It never could be productive of advantage to a strong country to impose conditions that were at once unjust and onerous on a weak country; and he was satisfied that, whatever advantages England might have derived from the treaty of 1810, there had been on the part of the people of Portugal, from a feeling of its inequality, a disposition either to evade its conditions, or to compensate themselves by obtaining other advantages not consistent either with the letter or with the spirit of that treaty. He agreed with his hon. friend in the condemnation which he had passed upon the wine monopoly of Oporto. The company engaged in the monopoly was a company of great power. All the men of consideration, influence, and wealth in Portugal were members of it. They had made it a great engine of State, by which they had raised the price of the wines of Portugal in a very undue manner, and in a very unfair degree. He believed that he should not overstate the amount to which that company had raised the price of Portuguese wines when he said that they had raised it to the amount of at least 15*l.* on every pipe. That company imposed upon this country, the most favoured of all countries in Portugal as far as commerce was concerned, this condition—that the company should have the power of determining the quantity of wine to be sent off to England in any one year. Nor, was this, though bad enough, all—it had even the power of selecting each pipe to be sent to England, and when it had done that, it did not stop even there— it took as much of the wine itself as it thought proper, and then it left the remainder to be purchased by the British trader. Even this was not the end of the abuse. The English trader could not buy any wine in Portugal, save that which was allotted to him by the company. He could not buy the wine which the Swede or the Dane was at liberty to buy, and thus if the wine of Portugal were, as the hon. member for Worcester had stated, the favourite beverage of this country, we had not the chance of obtaining it in the highest perfection, as we were obliged to take up with any trash which might be chosen by the Oporto monopoly. He had shown on a former occasion that all these abuses had grown out of that monopoly. That monopoly had been made the subject of frequent representation to the government of Portugal. That government had promised, over and over again, to redress the abuses which had grown out of it. Now we had no right to compel any country to change its municipal regulations for the sake of either pleasing or profiting our merchants, and hence arose the great difficulty of getting any alteration made in that monopoly. His hon. friend had stated that since the fifteen years, for which the treaty of 1810 was to continue, had expired in 1825, that treaty was now open to revision. It was true that that treaty was open to revision, but not true that it was at an end. That treaty was perpetual, subject only to the right of being revised by both parties, if they so thought fit, at the expiration of fifteen years. In 1825 that period of fifteen years expired. It was no sooner terminated than negotiations commenced for the revision of the treaty. He was at that period President of the Board of Trade, and those negotiations were conducted by the late Mr. Canning and himself with the Portuguese ambassador in this country. The treaty was almost satisfactorily arranged, when political events prevented its termination. In those negotiations his Majesty's Government never lost sight of the abuses arising out of this monopoly. Provision was made in the project of the treaty, and was almost agreed upon, for putting an end to them. He must, therefore, put in his claim to have one of these alternatives agreed to by the House—"Either place the two countries upon a footing of equality, or, if we are to have the exclusive privilege in Portugal of importing our cottons, our woollens, our silks, our hardware, at duties one-third lower than those imposed on the same articles imported from other countries, in common justice allow, not only wine, but all the productions of Portugal, to come into our dominions on the same terms."

He would not give any opinion at present as to which of these two plans he considered best, though, certainly, upon the principles which he had always advocated, he was inclined to think that it would be best to act on the principles of reciprocity. The hon. member for Worcester had stated, that if we gave up our present advantages in Portugal, we should have every reason to fear the competition of France. For his own part, he believed that there was no occasion for him to be in any such state of alarm. He had no doubt but that we should find even with the most enterprising spirit of competition, that our manufactures would still meet with the same preference in Portugal as they now met with in every other country. As to the trade with Newfoundland, on which the hon. member for Worcester had laid so much stress, it would be placed on the same footing as the trade in fish of other countries. Though we might not retain all, we should still retain a great part of it. He much doubted whether monopoly did not in all trades lead to expense, indifference, remissness, and negligence on the parts of those who possessed it. Give fair competition to the British fish-curer, and he should not be afraid of his being able to meet his American and French rivals in the Portuguese market with complete success. Be that, however, as it might, it was not their province at present to discuss the relative advantages of the fish-curers of Newfoundland and of America, but it was the province of his Majesty's Government to arrange with Portugal, as soon as the political circumstances of the two countries would permit, the footing on which the trade between the two countries ought to be permanently settled. All that he contended for at present was this,—that we should not exact from Portugal conditions which we ourselves should not be willing to grant. He stated it to be his deliberate opinion that the trade of Portugal would be most efficaciously promoted by its not being placed under the care of Government as to its details. He admitted that our chief trade with Portugal was indeed carried on directly with that country, but indirectly with Spain. Every body knew that the fish and the manufactured goods which we sent to Lisbon and other parts in Portugal found their way thence into Spain, and were there consumed. As to Portugal, it was evident that she was every day becoming more and more a weak and impoverished country, but that was no reason why she should not be treated with all the regard which was due to her as our ancient ally, and with all the moderation which was best calculated to advance our trade and to promote our general interests.

Mr. *Slaney* said, that he should not occupy the attention of the House more than a few moments, and he should do so for the purpose of recommending on behalf of our manufacturing interests, a closer commercial connection with France. He had lately made it his business to make many inquiries relating to the state of our manufacturing districts—and whether he inquired among the persons engaged in the iron, the cotton, or the woollen trade, he was always answered that it was their anxious desire to obtain some market into which they might send the product of their industry. Unless some market was found for these people, they must suffer considerably, and they did not fear the result of any fair competition. He thanked the hon. Member on behalf of the manufacturers of this country, for the manner in which he had brought this question under the notice of the House, and he had no doubt that this discussion must ultimately be beneficial to them.

Motion agreed to.

SIERRA LEONE.] Mr. *Hume* said, in rising to submit to the consideration of the House the subject of which he had given notice, he would take the opportunity of stating that he was well aware of the important nature of the question, complicated as it was, which he had undertaken to bring before the House. In his own justification, however, he would state that this was not a subject which he had taken up yesterday, but to which he had devoted much attention for several years. He had now in his hand several documents from which he would state to the House the condition of the Colony of Sierra Leone. So long ago as 1825, he had given notice of a Motion nearly to the same point as that which he was about to make this evening. Sierra Leone was in a peculiar situation. It was not a colony planted by this country for purposes of commerce, nor to furnish the means of existence to our surplus population; it was an establishment founded with the most benevolent views that could ever be entertained by any set of men; it was founded with the pure purpose of improving the condition of the native population of that part of Africa, and of preventing the continuance of the odious and inhuman traffic in Slaves. But there was another respect in which the colony was peculiarly situated. It had now existed somewhat more than forty years, during the first twenty of which, namely, from 1787 to 1807, it existed as a private establishment, and at that time it was given up to the Government, and had been in its possession ever since. It was impossible to look at all the circumstances connected with the establishment of this colony, without being sensible of the obstacles that would arise to the removal of the evils that now existed there, and rendered the colony undeserving of longer support. The measure he should propose was not founded upon any of those things which had taken place within the last few years, but on those which had occurred, he might say, almost from the commencement of the colony, and which had afflicted it within the first eight or ten years as much as at any subsequent period. In order to avoid discussion or dispute upon facts, he should not make one statement in which he was not fully borne out; and he should abstain from employing that strong colouring in which that colony was night after night exhibited to the House. An attempt had been made to avoid the evils of the locality of the colony, by removing it to another situation; but a slight difficulty, never anticipated when the colony was established, had recently arisen. In 1787 Granville Sharpe, and other persons who were connected with him, sent a number of individuals, who took possession of a part of the coast—a sort of peninsula, contained much within the same limits as at present. No less than 440 persons went out in 1787, and 276 of their number died in that year, and in 1788, 130 more of the number died. In 1791 the first charter was granted, and no less a sum than 250,000*l.* was expended in improving the condition of the colony. Between 1791 and 1792, 119 persons were sent out, and at that time, and at several other periods, a large portion of the old settlers and of the new comers died from the effects of the climate. In 1792 great exertions were made to keep up the state of the colony. At that time 1,130 Blacks were taken thither from Nova Scotia, yet, so ungenial was the climate that a large portion of them, as well as of the Europeans, speedily died. In 1802, according to the late Report of the Commissioners, there were 224 families in the settlement, and notwithstanding all the additions of new colonists of every description made since that time, about 500 or 600 only were existing there at this moment. These difficulties might have discouraged the perseverance of any number of individuals; but the Society that then held the colony, consisting as that Society did of men of influence and power, were not to be deterred from the object they had in view. In 1800 about 500 Maroons had been sent thither—more were afterwards despatched, and in 1826 it was stated that they had held their ground better than any other of the settlers, and had better resisted the attacks of the Black fever. In 1817, 1,220 men belonging to the African Corps, and the West-India regiment, settled there with their families. Additions, too, had been made by the native population of the interior, to such an extent, that in 1800 they amounted to between 2,000 and 3,000. Still, however, great distress existed in the colony, deaths were numerous, and the state of the establishment was not that which its friends could wish it to be. In 1807 the Society found itself unequal to the task of longer managing the affairs of the colony, so as to make it subservient to the great end kept in view by its establishment; they, therefore, requested the Government to take charge of the colony, and to relieve them from the burthen which its existence had entailed on them. Since that time, he would assert that no one of our colonies had had so much money expended upon it, for no one had so much been done by the Government—to keep it up the Government had made great efforts, and yet that object was not attained, and he therefore came to the conclusion that it never could be attained; for if a first private body, with the zeal that animated the members of this Society, and the capital they possessed, after twenty years' trial were obliged to relinquish their labours, and if after twenty years more, the Government, assisted by our powerful navy, backed by the public purse, and possessed of every advantage, could do nothing effectual towards making this colony habitable, he thought it was time to consider whether any further trial should be made. The object of the African Society was, as he had described it, most benevolent—it was to enlighten the minds of the African people, and to establish such a commerce among them as would induce them to put an end to the Slave-trade. He was sorry to say that that object had failed. Various statements had been made with respect to the condition of the colony, and the variety of these appeared to him the only reason that could be assigned for the difference of opinion as to the propriety of abandoning it. The hon. Member read a number of different statements, and then observed, that the air of the colony was as pestilential as at its first establishment. The fact of the evils now existing, and the proof that they were necessarily incidental to the place itself, could be found in the accounts of General Turner, whose statements on the subject were in some instances so dreadful, that he would not shock the House by reading them. The colony had, besides, been a source of immense expense to the country, but he would do the present Secretary for the colonies the justice to say, that within the last few years the utmost desire for economy had been exhibited, so far at least as was compatible with the pursuit of the means adopted for the benefit of the colony. The state of the colony had always been bad with regard to situation and soil. It was only during the two first years that the land could be cultivated; after that time it refused to yield any produce. In what situation would the colony be with a rapidly increasing population of slaves without the means of subsistence. In submitting this Motion to the House, it was necessary to show that the locality and the soil were bad, and as a proof of that he might mention, that notwithstanding all the care that had been employed, neither sugar nor cotton nor rice could be produced. The situation of the colony, as far as regarded its means of communication with other places, was also bad; and though nearly three millions of money had been expended on it, the disadvantages he had referred to had not been overcome, and he believed never could or would be surmounted. When the House recollected the rapid succession of Governors and official men who had gone out to this colony, they could not wonder that papers and records were wanting, to give an exact knowledge of the original population, of the various changes in its number, and of its present amount. According to a Return that had been laid on the Table of the House in 1825, the number of free Blacks, including the liberated slaves, was 11,500; with soldiers and settlers of every description the population amounted to 17,500. In 1826, the number of persons added to the colony by the introduction of new settlers of every sort, was 2,300; in 1827 it was 2,900; and in 1828 it was 2,800. The gross amount of the population might, therefore, be taken to have reached 25 or 26,000. Of these between 9,000 and 10,000 had died, leaving the population at 17,068. He did not mean to say that the whole of these 9 or 10,000 people had died; some of them were Blacks, who had escaped from the colony; some had enlisted into the West-India regiments, and the rest (by far the greater portion) had perished from the effects of the climate. Why was such a colony to be kept up? He could not conceive what answer would be given to the question. He knew, indeed, that some persons said it should be kept up for the sake of commerce. He would now see how far such a reason was valid. The exports of Sierra Leone, notwithstanding all that might be said of its commerce, were in reality nothing. The exports of the whole of the coast, from Senegal to Guinea, were, in the year 1787, about 150,000*l.* In the year 1819, they were 110,000*l.* official value. In the year 1823, they were 114,000*l.* In 1824, they were 134,000*l.*; and they were now about 154,000*l.*, consisting principally of palm-oil, dye-woods, and timber. The imports from this country to the colony were, on the contrary, about 118,000*l.* of British goods, and 119,000*l.* of foreign, making altogether 237,000*l.*, and this was the great extent of commerce for which the country was to make such a vast sacrifice of human life. He knew that many persons thought the great obstacle to leaving the colony to itself, was to be found in the protection necessary for the liberated Africans; but he was satisfied that means might be found to carry into effect all the intentions of the Government without the occupation of one of the most unhealthy places in the world. From twelve or fourteen degrees north, to as many degrees south of the Line, there was not a place so unhealthy as Sierra Leone; of 120 men sent out there in 1823, not one survived.

A detachment of 130 men was sent out in 1824, and they all died, including four officers. In short the climate was fatal to all Europeans who were sent out, and so unhealthy was Sierra Leone itself, that the Blacks perished there nearly as fast as the Whites. After reading several returns to prove the extent of the mortality, which swept away whole ships' companies, the hon. Member proceeded to observe, that although the island of Fernando Po, from not being sufficiently cleared of timber, had proved unhealthy in one season, there was every reason to believe that it was much better fitted for the residence of Europeans than any other part of the coast. The land, too, had an advantage which Sierra Leone did not possess—it was rich and well fitted for cultivation, and admitted of a more easy access for slave-vessels. Half of the crews of slave-ships were frequently lost in working up to Sierra Leone, and this was an additional reason for the selection of Fernando Po for the refuge of liberated slaves. He had, however, an opinion on the subject of the manner in which these slaves were to be disposed of, which he thought worthy of attention; and this was, to enter into some arrangement with the free Government of Hayti for their reception into that State, in order that they might have opportunities of profitable employment, instead of being kept in comparative idleness at Sierra Leone. That colony had now been tried for twenty years by individuals, and for twenty years by Government. That was enough for a fair trial; and, as it had failed, he should now move, as a Resolution, that it was expedient to adopt measures for withdrawing the settlement of Sierra Leone.

Mr. *Fowell Buxton* admitted that the experiment of Sierra Leone had failed, but not to the extent stated by the hon. Member, nor was the population so totally destitute of industry as he represented it. He knew it had been unhealthy, but that was the fault of the Government, in constantly sending out a description of soldiers totally unfit for the climate, when it was known that a force of black or brown men would be sufficient for all the purposes of the colony. He knew he was stating an opinion not entertained by many around him; but it was his opinion that there is no difference between the Black man and the White, except that which is produced by superior opportunities of receiving information. As to the unhealthiness of Sierra Leone, he believed it not to be greater than that experienced in the islands of the West Indies. Some time ago he proposed to move for Returns which would have proved the truth of that assertion. On consulting the Ministers, they intreated him not to adopt that course, because it would produce much alarm in the minds of all those whose friends were either in those islands or about to proceed to them. He had, however, received a document connected with the subject, which he would read to the House; and which, he thought, proved as much as any Return which could be laid before it. This document was signed by Sir Herbert Taylor, the Military Secretary, dated in 1826, and he had received permission to use it whenever it became necessary to his argument. It ran thus:—"We are ready to admit, that the mortality among the troops in the island of Jamaica, and even in Ceylon, has been for two years nearly equal in proportion to the mortality at Sierra Leone." It should be recollected, too, that the troops sent to Sierra Leone were generally of dissolute habits, and those in the West Indies were in the highest state of discipline; so that the comparative unhealthiness of the climate was still more evident. He thought much of the failure at Sierra Leone proceeded, not so much from the climate, as from the too lavish system of expenditure, and the avoiding the plan of locations, which would have given the natives an interest in the land. [The hon. Gentleman then read extracts from the correspondence of Colonel Denham and others, for the purpose of proving that the negroes were industrious; and concluded by declaring that he could not vote for the Resolution of the hon. member for Montrose.] He was quite willing to agree to the appointment of a Committee of Inquiry. The hon. Member had alluded to the imports of Sierra Leone, but it was worthy of observation, that the imports of all the West-India Islands were only 864,000*l.*, and the proportion of Sierra Leone was, therefore, infinitely greater than that of the West Indies.

Mr. *Bernal*, after observing that the colony of Sierra Leone was a necessary station, in order to repress with success the Slave-trade, still carried on by Brazil, to a very great extent, proceeded to show that we were also bound to retain it by solemn treaties with the great Powers, parties to the abolition of that trade. Without their permission, therefore, and without providing another station elsewhere, it could not be abandoned. The hon. member for Weymouth had, however, in a most extraordinary manner gone out of his way to make a most unjustifiable attack on the West Indies, and he had read a document which he took out of his pocket, and professed to call it the opinion of the Secretary at War. He called on the hon. Member, as he was fully justified in doing, to state under what circumstances he had obtained such a paper, and to explain why it was, that he was trusted with a declaration which could not be made a return to the order of the House? He would tell that hon. Gentleman that it was utterly impossible for him to prove his assertions. Could he show six successive Governors carried off in the island of Jamaica in the same manner as in Sierra Leone? Could he name Registers, Secretaries, Judges, and officers without number, daily falling a prey to the climate of Jamaica? Let him consider the mortality in any station in Sierra Leone, and then say if he was justified in drawing the parallel he had drawn between the two climates. He was sure the hon. Member would regret this hasty and inconsiderate attack. He did not ascribe it to any improper motives, but he thought it most unjustifiable, and he was sure the hon. Member, on consideration, would think so too. There had been unhealthy seasons in Jamaica, but the introduction of iron bedsteads and other regulations, had contributed much to preserve the health of the troops.

Mr. *Fowell Buxton* repeated that he had obtained permission from Sir Herbert Taylor to use the document he had read whenever the subject came under consideration.

Mr. *J. Wortley* deprecated entering into any discussions on a subject not at all connected with that before the House. He contended that this country was bound to preserve Sierra Leone for the fulfilment of treaties entered into with reference to the Slave-trade, and that we must have the permission of those States to enter into any new arrangement. Its population also had been placed there by our interference, and therefore possessed the strongest claims upon our protection. The hon. member for Montrose was surprised to find the loss on board his Majesty's ships less than he imagined. This should give him consolation, because it proved the colony was not preserved at the expense of so great a waste of human life as some persons were inclined to believe.

Mr. *W. Smith* said, he had good reason to believe that the statement of the hon. member for Weymouth, (Mr. Buxton) with respect to the opinion entertained by the Government, in reference to the healthiness of Jamaica at the time alluded to, was perfectly correct. He thought that much expense was thrown away at Sierra Leone, and that was one of the causes of its failure as a colony. In a colony formed by the North Americans, called Tiberius, there were upwards of 1,500 free Blacks placed under the control of a single white person, and yet the people were prosperous, and living in perfect harmony and content. The example of this colony was well worth the attention of those who complained of the state of Sierra Leone.

Sir *G. Murray* admitted, that nothing could be more proper than the mode in which the hon. member for Montrose had introduced this question to the House. It had been done with that calmness and deliberation which the subject demanded, and he was sorry that it should have been departed from in any instance. He could not help regretting therefore that any mention had been made of the West Indies, as that did not immediately bear on the subject before the House. The question was, whether it was necessary to continue this Settlement or not; and if it was necessary, whether its affairs were conducted as they ought to be? With regard to the necessity of retaining possession of it, that was inseparably connected with the attempt we had so long been making to put an end to the Slave-trade, and for which we had entered into so many treaties with other countries. He must confess that there was some room for regret in regard to the success of that attempt, and the kind of co-operation which we had received from other States in our prosecution of that endeavour. When we entered on that career of humanity, we certainly had not succeeded in finding competitors who were willing to go with us, using that degree of emulation and exertion which the cause required. He did not, however, think that there was sufficient reason to abandon that great and laudable attempt. If it were intended still to persevere in our endeavours to put down the Slave traffic, it was absolutely necessary that we should have some station on the coast of Africa, where the persons rescued from the slave-ships might be landed, and taken under the humane care of this country. With reference to the peculiar situation of Sierra Leone, he could find nothing that induced him to look on that station as more objectionable than any other. On the contrary, the reports of the medical gentlemen rather had an opposite bearing; and while on this subject, though he gave every credit to the hon. member for Montrose, yet he must accuse him of not having brought forward this part of the case with his usual impartiality. The hon. Gentleman had quoted an extract from a letter of General Turner, but he had omitted to mention letters of a more recent date, which referred to the same subject. With regard to the climate, and other particulars, they had the reports of several medical gentlemen; and from Dr. Fergusson's report, it would appear, that the diseases chiefly originated from the drunken habits of the men, and the despair they felt at their situation, both which causes would be equally mischievous in any other climate. But, at all events, it was to be remembered that there were no longer any Europeans on service on that station; the Royal African Corps was greatly diminished, and an arrangement had been made to establish a militia, so that the mortality among European troops would no longer occur. The right hon. Gentleman then proceeded to read extracts from the correspondence of Colonel Denham and others, to show that everything was done to render the situation of the free negroes there comfortable, consistent with the strictest economy; and he also stated, that instructions had gone out for reducing the scale of the government there as much as possible. Having made these observations with regard to the present condition of the colony, he would say a few words as to the future views of the Government respecting it. In the first place it was to be observed that it could not relinquish altogether having a station on the coast of Africa, and he thought that he had shown that economy and good management were united in that of Sierra Leone, at the same time that arrangements had been made to prevent the possibility of the recurrence of that unhealthiness which had previously afflicted the colony, by the introduction of black troops and a militia. The next observation that he had to make was, that it was his intention, as far as possible, to fill all the civic offices there with people of colour. The office of the King's Advocate was already so filled, and he was convinced that it was very possible to bring the whole of the colony under the superintendence of persons of colour, who were not likely to suffer in their health; and pursuing that system still further, he did not despair of its finally being in the power of this country to form that station into the condition of a free African colony on such a plan as should be best calculated to meet the exigencies of the case; and looking at the circumstances in that point of view, he thought that they presented a most favourable opening for carrying into effect the original benevolent intentions on which it had been founded. On all these grounds, he saw no reason for acceding to the Motion of the hon. member for Montrose. The possibility of removing the colony to another situation had been alluded to; but he thought that he had already shown that no great advantage could be derived from that; besides which, the removal of 16,000 or 17,000 liberated Africans from a place where they were settled, and which was actually in a state of cultivation, could not be effected without incurring an enormous expense, and sacrificing all those advantages which had already been obtained. On all these grounds it appeared to be inexpedient to relinquish the station which we already held at Sierra Leone. It had, however, occurred to him, how far it might be fit or practicable to withdraw the Europeans from that situation, leaving the liberated Africans to remain on the spot, and take care of themselves. That, however, was a question which must be approached with caution, for nothing could be so unjust or wicked as now to abandon those persons, after having liberated them from their former miserable condition, by which means they would be again exposed to the cruelty and persecutions of those from whose grasp they had previously been rescued. Having, however, this question in view, he had been in communication with the Church Missionary Society, and they had undertaken to take charge of the liberated negroes, so far as their morals were concerned; of course requiring that no more liberated Africans should be added, lest it might neutralize and derange the operations they had previously begun, and with the understanding that all charges were to be defrayed by the Government. Under these circumstances he trusted that the House would not feel called on to accede to the measure proposed by the hon. Gentleman. But in addition to this Motion, the hon. member for Weymouth had suggested that this question ought to be investigated by a committee. It did not, however, appear to him that any such inquiry was necessary, though at the same time he begged to observe, that he should have no objection to such a course if the House thought it necessary.

General *Gascoyne* was of opinion that there had not been the shadow or pretence of an argument adduced why there should not be at least an inquiry on this subject. The hon. member for Weymouth, after taking great pains to describe how happy the liberated negroes were, had concluded by himself proposing a committee; and the right hon. Gentleman, though he had talked about the economy practised there, had not said one word to show that there ought not to be an inquiry. Let any one look at the expenditure that had taken place, and he would scarcely believe, that after five or six millions had been consumed, and after such a sacrifice of lives as was too horrible to dwell upon, that any Member could say that it was necessary to persist in this principle. There were some persons in this country under a humane delusion; but why were they to delude the whole Parliament of England? The only reason that he knew was, because it suited the views of a certain party, calling themselves Saints. He did not mean to say that the fault of keeping up Sierra Leone with its expensive establishments, was attributable to the present Ministry; but it was attributable to every Ministry in this country since we undertook to put down the Slave-trade. He thought that inquiry was necessary, and if, therefore, his hon. friend would not alter his Motion to a committee, he would to-morrow, or on the first opportunity, move for a committee himself. Amongst the other losses that had been sustained, not a word had been said relative to the losses of the navy; and yet instances had recently occurred of ships lying in the port there losing so many men that they could not be worked home. Last Session, the right hon. Gentleman had said, that he was ready to afford every information on the subject; and yet he now said that no inquiry was necessary. He trusted that his hon. friend would alter his Motion to one for a committee; but if not, he himself would agitate the question every day while the Parliament sat.

Dr. *Lushington* could not forget that the hon. Gentleman who had spoken last was one of those who had formerly been anxious to perpetuate in this country the eternal disgrace of the odious traffic in slaves. When he bore this in mind, he could not feel much astonished at the little desire the hon. Gentleman had evinced that this country should redeem the pledge which it had then given, nor that he cared but little whether we rendered our solemn treaties with foreign powers on this subject absolute nullities. The hon. Gentleman had said that this measure was carried to please the Saints; but he would tell him that, with the exception of twenty Members, the whole of that House were unanimous for the abolition of the Slave-trade; and he would tell him still more—with the exception of those who deemed themselves interested in the subject, the whole country had called on its Representatives to exert themselves in the same attempt. He acceded to every word that had fallen from the right hon. Gentleman, for he thought that he had displayed the most perfect wisdom, and the most entire liberality of feeling in all that he had said; neither did he see what more the House could ask for than the right hon. Gentleman had promised; for it was only in March last that the treaties on the subject had come to a perfect consummation. It had been stated, upon authority which could not be questioned, that the Slave-trade was at the present moment carried on within the territory of the British settlement at Sierra Leone, and that the flags which protected slave ships from search, protected not only the Slave-trade, but piracy. He was as sensible as any man could be of the dangers to which Europeans were exposed in that climate; but he felt bound to contend for the necessity of maintaining our settlement there for some time longer, and to this he was the more inclined, as he felt perfectly satisfied that a small force of coloured soldiers would be sufficient to preserve the peace and good order of the colony. Though he deeply deplored the mortality, yet, convinced as he was of the necessity of keeping up the settlement, he felt assured that nothing could be more suitable for that purpose than were the measures of the right hon. Gentleman: he, therefore, could not support the Motion of the hon member for Aberdeen.

Sir *R. H. Inglis* denied that the climate of Sierra Leone was so insalubrious as had been stated. The mortality in the King's ships, it appeared by returns on the Table, had not exceeded twenty per cent, instead of whole ships' companies having been swept off. Indeed, taking a long period, from 1816 to 1828, it appeared that of 11,539, the number which died was only 524, or not above five per cent. He also denied that six Governors had died there successively, observing that Mr. Macauley had lived there as Governor for eight years, and had now been thirty years in England. The hon. Baronet mentioned some other public officers who had spent several years there without inconvenience; and contended that it was, upon the whole, not more unhealthy than other places upon the coast of Africa.

Mr. *Hume* deprecated any mixture of the Slave-trade with the question respecting the abandonment of Sierra Leone, for the two matters were perfectly distinct. He thought, upon the whole, that he should best consult the wishes of the House, and perhaps more effectually attain the object which he had in view, by agreeing to a Select Committee for the purpose of instituting a minute inquiry into the real condition of the colony. A very short time, he trusted, would suffice to bring that inquiry to a close, and then the House, upon a report, would have ample means of forming a judgment. With the leave of the House, he would withdraw his Motion, and substitute for it a motion for a Select Committee to inquire into the present state of the colony at Sierra Leone.

Motion for the appointment of a Committee agreed to, and Committee appointed.

Public Business.] Some conversation ensued between Lord Milton and Sir Robert Peel respecting the postponement of the motion of his Lordship, which stood upon the paper to-day, respecting the Corn Laws; and eventually there was an understanding that the noble Lord's Resolution should be brought forward on Friday, the 27th instant.

Sir *Robert Peel* suggested that Thursday would be a convenient day for the Chancery bill, and Friday for the other bill for improving the Administration of the Law. He would propose that on Friday they should begin with the Scotch Judicature bill, and after having disposed of that, apply themselves to the other, the bill for amending the Welsh Judicature, and for otherwise improving the general Administration of the Law. By proceeding according to that arrangement, he trusted that considerable advance would be made. He also adverted, without going into detail, to some alterations which had been made in those bills by the hon. and learned Gentleman by whom they were introduced.

Sir *C. Wetherell* wished to know what the nature of those alterations was?

Sir *Robert Peel* said, that it was proposed to render the new Equity Judge independent, and to make some other changes, not materially affecting the substance or principle of the bill; but he could not undertake to say that such alterations were to be made as would prove sufficient to conciliate the favour and support of the hon. and learned Gentleman.

Lord Milton adverted to a motion of the hon. member for Lincoln, which stood in the Notice-book.

Colonel *Sibthorp* said, he had been told that there was not the slightest chance of his motion's being heard on the day for which it stood. There was no motion of more importance; it was of more importance than any which had been introduced in the present Session, as most materially affecting the rights of the people, and the dignity of Parliament; and unless some day was fixed, with the positive and clear understanding that his motion should come on, he should not waive any advantages which his present notice conferred upon him.

Mr. *Stanley* inquired of the Chancellor of the Exchequer respecting the day on which he intended to bring forward his motion relative to the Sugar duties.

The *Chancellor of the Exchequer* said, he had given up Friday to the two bills for improving the Administration of Justice; and he could not yet specify any other day on which he should bring forward the subject mentioned by the hon. Member.

Sir *Robert Peel* observed, that nothing could be a stronger proof of the backward state of business than that the measures which came recommended in the Speech from the Throne on the first day of the Session, had still several stages to go through. On Friday his hon. and learned friend would state the alterations made, and the present contents and scope of the bills for appointing a new Equity Judge, and improving the administration of justice throughout the kingdom, provided there was time for his doing so after the discussion on the Scotch Judicature bill had been gone through. The latter, he hoped, might be allowed to begin at half-past five.

Mr. *C. W. Wynn* complained of the great length of time which a notice stood upon the book respecting the Registrar at Madras, and urged the necessity of immediately disposing of that question.

Sir *R. Peel* thought the House should meet at twelve o'clock on Saturday for that purpose: they had already, in the course of the Session, sat on a Saturday, and he considered that a very fit occasion for again doing so. He thought they ought to make a great exertion to dispose of the business in question; for his part, he should be perfectly ready to attend.

Mr. *Brougham* said, it was a judicial question, involving private rights—it would be necessary to hear Counsel—and he thought that no day would be fitter for the purpose. A bill of his for creating Local Judicatures, was ready for introduction, which he thought ought to be preceded by the sanction of a committee of the whole House being given to the emoluments of officers therein mentioned, who were not to receive fees. It was thought by some that the notice he had given implied an assent on the part of the Crown; and that it appeared to pledge the executive Government to the support of the measure. As it had been regarded in that light, he would endeavour so to shape his measure as to obviate that objection. He apologized for having been so long in preparing the bill; but the complexity of the details would, he hoped, be received as a sufficient excuse. He had now only to add, that the bill was intended to be at first only an experimental measure; it therefore could only be applied to a limited district; yet, by the alteration of a single word, it could be made applicable to the whole country. He proposed to bring it in on Thursday.

The conversation here terminated.

HOUSE OF LORDS,

Wednesday, June 16.

MINUTES.] Petitions presented. By Earl SPENCER, against the infliction of Death for Forgery, from the Inhabitants of Croydon; and from a Wesleyan Methodist Congregation in the same place:—By Lord MORLEY, from certain Inhabitants of Plymouth, and from a Congregation of Protestant Dissenters in that town,

On the Motion of the Earl of MALMESBURY, Returns made by the British Consuls abroad, of the prices of Foreign Grain, in the years 1828 and 1829, were ordered to be laid before their Lordships.

HOUSE OF COMMONS,

Wednesday, June 16.

MINUTES.] Petitions presented. Against Poor-laws (Ireland) by Mr. G. MOORE, from the Corporation of Weavers (Dublin). For Poor-laws, by Mr. SPRING RICE, from the Vicar of Kilsbery (Tyrone). Against the Subletting Act, by Mr. CAREW, from Rosdroit. For Superannuation, by Sir E. KNATCHBULL, from the Quartermen of Shipwrights, Chatham-yard. By the same hon. Member, from G. E. Montagu, in favour of the Suits in Equity Bill. Against Oath-taking, by Lord MILTON, from certain persons in Edinburgh. By Mr. SPRING RICE, from Christian people resident in Ennis and Limerick, against obliging Protestant Soldiers to attend Catholic and other places of Worship. By Mr. TRANT, from the Free Barons of Dover, complaining of the Low Wages:—By Sir JAMES GRAHAM, from the Labourers of Alfred-street Pottery, Kingston-upon-Hull. By Mr. BROUGHAM, against the Punishment of Death for Forgery, from Stewart Morgan and J. J. Stockdale; complaining of the conduct of the Chief Justice of the Court of Common Pleas, from J. J. Stockdale; against Arrest for Debt, from Thomas Smailes; against Slavery, from the Dissenters of Stoke-green Chapel, Ipswich; against the Court of Session Bill, from the Solicitors practising in the Supreme Courts, Scotland; against the Chancery Register Bill, from the four Deputy Registrars of that Court, and the eight Articled Clerks in the Register Office; for an Alteration in the Law relative to Spirit Licenses, from Sir John Maxwell and Robert Wallace, two Justices of the Peace for Renfrew.

ECCLESIASTICAL LEASES (IRELAND).] Mr. Stanley moved the Order of the Day for the further consideration of the Report on the Ecclesiastical Leases' (Ireland) Bill.

Mr. *Trant* regretted that the Bill had gone through so many stages without being discussed, and hoped that an assurance would be given, that an opportunity would be afforded for discussing it. He particularly objected to several of its clauses.

Mr. *Stanley* would certainly, if it lay in his power, allow the hon. Member to discuss the Bill at the next or some subsequent stage.

Mr. *Spring Rice* also wished that the Bill might be discussed, but he was favourable to every clause of the Bill, and he knew that the Bill had the Ecclesiastical authorities of Ireland in its favour.

On the question that the Amendments be agreed to,

Mr. *Trant* thought that must be a mistake, as the communications he had received from Ireland informed him that all the ecclesiastical authorities were against it.

Mr. *H. Grattan* concurred in the Bill. By the present system ecclesiastical property was kept out of cultivation, which would never be the case if the land could be let on a forty-one years' lease.

Mr. *Brownlow* thought that the Bill would effect a great improvement in Ireland. The land there let on Bishops' leases was only half cultivated, which was Mr. Leslie Foster's opinion—not a mean authority—for he might be called the champion of the Irish Church. He indeed would go further than his hon. friend, and would have the land held in fee-farm. The land leased out under Bishops' leases in Ireland was not less than 600,000 acres, and that was exclusive of land held from Deans and Chapters. He was surprised that a measure which he conceived to be unobjectionable should be opposed, and he was persuaded that those best acquainted with the interest of Ireland were in favour of the measure.

The *Chancellor of the Exchequer* had a strong objection to the principle of the Bill. It was the practice for the Bishops to lease out the lands belonging to their sees for a number of years, and to take fines for the renewal of those leases at a low rent. The parties holding the land were in general sure that their tenure would be renewed. The present Bill would alter that practice. It took from the Bishop the freehold of his land, and gave him only an interest in it for a term of years. It enabled him to lease it for forty-one years, or twenty years more than at present; but at the end of that time he had no power to take the land back, if the tenant chose to retain it for another term. Thus the Bishop could never be in the situation of a proprietor, unless the tenant voluntarily threw the land into his hands. The principle of the Bill was to tie up the holder of the property, and prevent him making a bargain which would injure his successor; but he did not see how the present law enabled him to effect that if he were so disposed, more than the bill of the hon. Member; for if a corrupt bargain were made, this Bill would not enable the successor to set it aside. Moreover, if any bad or corrupt bargains had been made within the last twenty years, this Bill would perpetuate them. At present, Church-lands were let at a low rent, and if the Bill passed, as the rents could not then be altered, it would give a bonus to the man who was dishonest, while the fair-dealing tenant would readily give the proper rent. He thought the principle of the Bill unfair; and though he admitted that the object proposed by it was a good one, he did not think the Bill calculated to obtain it. He hoped, therefore, that the House would not deal with Church property in the way proposed by the hon. Member.

Colonel *Trench* opposed the Bill as injurious to the holders of Church property, and he believed, therefore, that the Bill was more calculated to check than promote improvement. He knew that the Bill had already caused a considerable fall in the value of Bishops' lands. At present Bishops' leases were considered as good nearly as freeholds; and the effect of this Bill would be, to make the Bishops, when they let their lands, exact for them as large a rent as possible. He considered that the measure would be fraught with injury to the holders of Church-lands, and he therefore should oppose it at every stage.

Mr. *Stanley* defended the Bill. He had obtained the opinion of a great number of the most enlightened clergymen of Ireland concerning the Bill, and they were all in favour of it. [The hon. Member read a great number of extracts of letters from the superior clergy of Ireland, all giving opinions decidedly in favour of the Bill.] The hon. Member then defended the Bill as calculated to promote the improvement of Bishops' lands, which were at present much neglected, owing to the fact that neither landlord nor tenant had any motives to improve them. He trusted that the Bill might be allowed to pass that stage, and a full discussion be taken on its merits hereafter.

The Amendments agreed to.—Bill to be read a third time to-morrow.

TOLERATION.] Mr. *Brougham* presented a Petition from Richard Carlile in favour of the Jews. The petition was very long, he said; it entered into the history of the Jews from the earliest time, and the petitioner contended that it was plain, from historical records, that they were not the murderers of Jesus Christ, and therefore that they did not deserve the persecution and exclusion to which they were subjected by the Christians. The petitioner offered to prove this at the bar of the House. The hon. Member admitted he had not read the whole of the petition, but he believed it was respectfully worded, and there could, therefore, be no objection to its being received.

Mr. *Trant* thought it was the duty of the House to object to a petition which went to deny the truths of Christianity. The Members all knew who Mr. Carlile was, and he did not think it would be decent in that yet Christian Assembly to receive such a petition.

Mr. *Brougham* was not before aware that the character of a man deprived him of the right of petitioning the House. If there were anything improper in the petition, of course it ought not to be presented.

Mr. *Sadler* thought, that a petition which denied that the Jews crucified our Saviour, contradicting the records of our religion, ought not to be received.

Mr. *Brougham* thought, that above all things the House of Commons was not a fit place for theological discussion. Such a petition might be contrary to the rules of the House, but it was not contrary to the law; for according to it any man might deny Christianity, provided he did it calmly and reasonably, and without ribaldry. The petitioner's sentiments might be erroneous, but the House could not proscribe erroneous sentiments, and certainly had no right to refuse to receive, on that account, the petition of a man who entertained them.

Mr. *Spring Rice* said, that if the House were to reject petitions in consequence of their sentiments, it would have to scrutinize every one, and it would make itself responsible for the sentiments of every one it received.

Petition withdrawn.

HOUSE OF LORDS,

Thursday, June 17.

MINUTES.] The Royal Assent was given by commission to the 4-per-Cent Annuities Reduction Bill, the Criminal Returns, and 32 private Bills. The Commissioners were the Lord Chancellor, the Earl of Shaftesbury, and Viscount Melville.

Petitions presented. By the Duke of RICHMOND, from Wool-growers of Suffolk, complaining of Distress, and praying for Protection against the Importation of Foreign Wool. By the Marquis of LANSDOWN, from persons confined for Debt in the Marshalsea Prison, Dublin, praying that the Insolvent Debtors' Act might be extended to Ireland. Against the Increase of Taxation in Ireland, from the Distillers of Wexford, by the Duke of RICHMOND:—From three places in the County of Kilkenny, by Earl GREY:—From the Parish of Trinity, in the City of Waterford, by the Earl of DARNLEY:—From the Corporation of Waterford; from the Parish of St. Nicholas, in the same County; from Clonakilty; and from the Freeholders of King's County, by the Marquis of LANSDOWN. That the Punishment of Death for Forgery might be Abolished, from Bankers of Gloucester, by the Earl of CARLISLE:—From Southwold (Suffolk), by the Earl of STRADBROKE:—From a Congregation of Protestants at Reading, by Earl GOWER:—From the Borough of Reading, by Viscount GODERICH:—From Exeter, and the adjoining Parishes, (signed by seventeen Clergymen, eleven Officers of the Army and Navy, three Bankers, twenty-seven Doctors of Medicine, Surgeons, and Druggists, twenty-three Barristers and Solicitors, and by 560 private Gentlemen, Merchants, and Traders); from Ampthill, Bedfordshire; from Protestant Dissenters of Blackburn, Lancashire; and from another place in the same County, by Lord HOLLAND:—From the Protestant Dissenters at Bury St. Edmund's and Colchester, by Lord KING. In favour of the Galway Franchise Bill, by the Marquis of WELLESLEY, from Armagh and Galway:—By the Marquis of LANSDOWN, from the Grand Jury of the City of Galway; and from the Parish of St. Nicholas, Galway. Against the Bill, by the Archbishop of CANTERBURY, from the Royal College of Galway:—By the Earl of MALMESBURY, from the Mayor, Sheriffs, and certain members of the Corporation of Galway, and praying that they might be heard at the bar, by Counsel, against the Bill:—By Lord CARBERY, from the Freemen of Galway:—By Viscount GODERICH, from certain Catholics of Galway.

GALWAY FRANCHISE BILL.] The Earl of Malmesbury moved, that the petitioners against the Galway Franchise Bill be heard by Counsel on Thursday.

Earl *Grey* did not rise to oppose that Motion. He supposed that there would be no objection to the Bill being read a second time now, on the understanding that the discussion should be taken after the petitioners' Counsel had been heard. The Bill was only intended to give to the people of Galway what the Bill of last Session had conferred on all the other inhabitants of Ireland.

The *Lord Chancellor* said, it was usual to hear Counsel on the second reading.

Earl *Grey* did not understand that the petitioners wished to be heard against the principle of the Bill, but only against certain clauses of it; and if so, the discussion would be best taken in committee, after the arguments of Counsel.

The Earl of *Malmesbury* suggested, that the second reading should be postponed till Thursday.

The Duke of *Richmond* said, they might get into some difficulty if they heard Counsel against the principle of the Bill, as that principle was established last year. He had opposed the Catholic Relief Bill to the last; but now that that Bill had become law, he should be very sorry to see the question re-opened. Above all things, it would be most inconvenient to have Counsel re-arguing at the bar the Catholic Question. He hoped, therefore, that the noble Earl would allow the Bill to be read a second time.

The Marquis of *Lansdown* thought, the noble Duke had put the question in a very proper point of view. He understood the petitioners to say, "Do not pass the Bill; but if your Lordships so far assent to the principle of it as to give it a second reading, then let us be heard against the clauses."

The Earl of *Malmesbury* did not admit that this Bill ought to be passed because the Catholic bill had been passed.

The Duke of *Newcastle* said, this was a Bill of pains and penalties, which took away the privileges of Protestants, and that the principle of it therefore ought to be discussed.

Earl *Grey* wished to set the noble Duke right. The Bill took away the privileges of no one.

Lord *Wharncliffe* said, it was clear the petitioners were against the principle, not the clauses of the Bill, and they ought therefore to be heard before the second reading.

On the Motion of Lord Rolle, the petitions were read at length.

Lord *Ellenborough* observed, that the prayer of the petitions was against the Bill altogether.

Earl *Grey* had no disposition to press the second reading now, if any noble Lords wished it to be postponed. He would therefore defer the second reading till Thursday, on the understanding that the Counsel were to be heard only upon such parts of the Bill as affected the interests of the petitioners.

Motion agreed to.

MONEY-CLAUSES—PRIVILEGES OF THE COMMONS.] The House having gone into committee on the Population Bill—

Lord *Wharncliffe* said, it was his intention to propose an amendment in the Bill, with a view to remedy a great practical evil which arose out of the mode in which the House of Commons asserted its privilege with respect to Money-bills. The Commons claimed (and he thought them justified in claiming) to have the control over the purse of the country, and that no money should be raised without their consent. They would not hear of an alteration in a bill to levy money being made by their Lordships, and he conceived that, in standing up for this principle, they only insisted upon their just privilege, with which he, who had been so long a member of the Lower House would be the last man to attempt to interfere. But he thought they had extended this privilege to a degree that, without meaning any thing offensive by the expression, might be justly termed absurd in its effects, and which stood in the way of the business of the country. If a bill came up from the Commons, no matter for what purpose, which contained a pecuniary penalty, and the House of Lords altered its amount, the other House rejected the bill on its being returned to them. Or if the Lords originated a bill which imposed a pecuniary penalty of any sort, the Commons would not entertain it. This practice had the effect of crippling the means which this House would otherwise possess of originating bills. But the Commons carried the exercise of their privilege still further. Two or three years ago he (Lord Wharncliffe) introduced a bill to amend the Game-laws: it received the assent of their Lordships. He had inserted no penalty in the Bill, neither did it contain any clause calling on parties to give security. The principle of the measure rested upon this—that certain persons being qualified according to the existing law, other individuals, whom its provisions did not embrace, should also be qualified under the new Act. When the Bill went down to the Commons, it was said, "True, there is no pecuniary penalty imposed by the Bill, but by its enactments, a great number of persons are exempted from penalties to which they would otherwise be subject, and of that we disapprove, inasmuch as it involves an interference with a pecuniary matter, the management of which belongs of right to the Commons, who, as the Representatives of the people, are alone entitled to tax, or inflict or remit pecuniary penalties on the people." On this ground the Bill, which but for this objection would now have been the law of the land, was rejected by the Commons. Another bill of a like nature was originated by the House of Commons, who approved of the principle of the measure, and only objected to the source from which it had proceeded. The bill of the Commons came here, and was unfortunately lost. The absurdity of the principle, when pushed to this extent, was apparent. If persisted in, this practice must prevent the Lords from originating any measure which should either impose or remove a pecuniary penalty. It was unnecessary to point out how great a hindrance this would be to public business. How absurd was it to say, "The House of Lords may inflict the punishment of death or imprisonment, but it shall not inflict a penalty of 40*s.* or 5*l.!*" The pecuniary fines in Acts of Parliament were intended as punishments, and were not resorted to as the means of raising money. He wished to alter a penalty contained in this Bill, in a small degree, in order that the question might be raised in the Commons. He had been in communication with several leading members of that House, who, in their private capacity, had expressed themselves favourable to an alteration of the Commons' privilege in that respect, and anxious to have an opportunity presented for raising the question. These individuals were also of opinion that the question could best be raised by adopting a course such as he now proposed to pursue. The noble Lord concluded by moving, that instead of the words "a penalty not exceeding 5*l.*, and not less than 40*s.*," the clause stand as follows—"a penalty not exceeding 5*l.*, and not less than 50*s.*"

The Earl of *Carnarvon* corroborated the noble Lord's statement of the great and increasing mischief arising from the manner in which the Commons' privilege was enforced; more, he believed, from old habit and usage than in accordance with the present opinion of the great body of influential members of the other House. The evil was on the increase, and the consequence of it, coupled with other obstructions, was, that each Session of Parliament, however extended, was not sufficient for transacting the public business. A great part of the business executed by the legislature could be better originated in the Lords than in the Commons, if the impediment complained of were removed; therefore it became of importance to the public interest to press amicably upon the House of Commons the propriety of reconsidering what it considered as its exclusive privilege. Another inconvenience was felt by individuals interested in private bills granting the power of levying money by tolls. The practice of the Commons, as extended to these bills, was productive of great loss, and involved a great injustice to the parties. He had lately attended the progress of a private bill, with respect to which two parties were strongly in collision: both sides agreed that by adding or changing the name of a commissioner, all further litigation would be put an end to; but in consequence of the operation of the Commons' privilege, it was found impossible to effect this arrangement. The consequence must be great additional expense to the parties—he called upon a noble Duke who was acquainted with the case, to corroborate the statement—and the failure of a compromise, which might have taken place if the amicable proposition could have been adopted. Such was the inconvenience of the present system, that not unfrequently when a gross fault was detected in a bill, their Lordships had been reduced to decide between suffering an abuse to be enacted, or putting parties to the enormous expense of bringing forward a new bill.

The Duke of *Richmond* confirmed the noble Earl's statement with respect to the case alluded to by him in which it would be necessary to bring in a new bill, at a considerable expense, because, according to the present practice, the proposed alteration which would have satisfied all parties could not be adopted.

The Earl of *Darnley* thought it extremely desirable that some modification of the Commons' privilege should be adopted, and was satisfied that the House itself was disposed to expedite public business, and lessen, if not entirely put an end to, the grievance complained of. At the same time he suggested to the noble Lord how far his specific proposition might raise a spirit of opposition in the Commons. He thought it would be more likely to conduce to the accomplishment of the end which the noble Lord had in view to leave it to the House of Commons to act in the matter of its own accord, than to raise the question by pressing upon that House a specific measure which went to increase the amount of a pecuniary penalty that had been already fixed.

The Duke of *Wellington* must say, that however desirable such an arrangement as that pointed out by the noble Lord might be, he trusted the noble Lord would not press his amendment at the present moment. It was the less necessary to do so, as a bill had passed the House that very day, which, involved the point that the noble Lord was anxious formally to raise. When the question naturally arose in the Commons upon that bill, as it might, let the matter be decided in reference to it, rather than upon an Amendment introduced for the purpose of raising the point.

Lord *Wharncliffe* said, it had been suggested to him, by what he considered competent authority in the Commons, that the best mode of proceeding was, to amend a penalty in order to afford an opportunity for raising the question of privilege.

The Marquis of *Londonderry* thought it would be better for the noble Lord to endeavour to persuade his "competent authority," and those Members of the Commons generally with whom he had communicated on the subject, to bring in a measure showing their wish to alter the privilege in question, than to place the two Houses perhaps in collision upon the point, by increasing a pecuniary penalty in the manner proposed.

Lord *Wharncliffe* had no objection to propose to reduce the penalty to 39*s*. instead of raising it to 50*s*., if noble Lords preferred it. Any alteration would be sufficient to raise the question, and in his intention to raise it he must persist.

The Earl of *Harewood* recommended a conference as the best way of effecting the noble Lord's object.

Lord *Ellenborough* expressed his opinion, that if the House voted the noble Lord's amendment after the discussion which had taken place, their Lordships would be going from the object which they desired to attain, rather than towards it. If the end were to be attained at all, it should be done *sub silentio*, certainly without such a discussion as had now taken place, which he thought very likely indeed to obstruct the noble Lord's object. The noble Earl on the cross-bench ought to know very well, that it was impossible to touch the matter in a conference. The Lords had a right to alter any bill that might be sent up to them: they claimed and had exercised that right, and it was impossible for them to allow it to be questioned in a conference. Every thing considered, he thought it would be more discreet to negative the Amendment, even with a view to effect the noble Lord's object. He would allow the Commons to start a discussion of the question on the bill which had been alluded to by the noble Duke at the head of the Government going down to them, if they pleased.

The Earl of *Limerick* objected to a conference on the Lords' known and acknowledged right to alter or introduce any bill. The House of Commons having determined that they had a right to enforce the attendance of all Peers not in Parliament, whether they chose or not, he (Lord Limerick) brought the subject before the Lords a few years ago, and the House came to a resolution directly opposed to the Commons; declaring that members of the Peerage were exempt from such attendance, although they might not possess seats in the House of Lords. This was matter of history, and stood recorded on the Journals, but no quarrel had ensued between the two branches of the Legislature in consequence, nor did he think that the present question would give rise to dissension between the two Houses, which he hoped never to witness. He trusted that the noble Lord's Amendment might be agreed to, because he considered that it would raise the question, and, as he expected, be the means of attaining the noble Lord's object in the most satisfactory manner

Earl Bathurst opposed the Amendment.

Lord *Wharncliffe* said, he should take the sense of the House on the question.

The Duke of *Richmond* did not wish to try the question in an indirect way, and thought it fairer both to themselves and the Commons to moot the point in the manner proposed by the noble Lord; hoping that the House of Commons, finding the great convenience that might be expected to arise to the country from the proposed alteration, would see the propriety of agreeing to it.

Viscount *Melville* said, his reason for voting against the proposition of his noble friend was, that he thought it carried with it, on the part of the Lords, an appearance of going out of their way to find an opportunity of raising the question and challenging the Commons to discuss it. He knew this was not his noble friend's intention, and therefore he thought that sort of proceeding was not likely to effect his noble friend's object. He should be ready upon another occasion to agree to an alteration such as that now proposed, without discussion, and then the Commons might take the matter into consideration if they thought fit.

The Marquis of *Lansdown* would not support the noble Lord's amendment if he could consider it in the light of a challenge to the other House of Parliament. In his opinion it was no such thing. On the contrary, if the Lords had demanded a conference, or passed a Resolution on the subject, that might with more propriety be construed as a challenge. By the proceeding now proposed to be adopted, they did not take the House of Commons by surprise, or attempt to inveigle them into compliance, but submitted the matter to them on the ground of public convenience, making them judges and arbiters in their own cause. This could not be called a challenge to the Commons. There was no civiler or more respectful mode of proceeding than, without entering the matter on the Journals, to bring it on in the shape of a conversation, and he thought it would have a very awkward effect if the proposition were withdrawn, after what had passed.

Lord *Skelmersdale* agreed with the noble Marquis, that this was the most manly and best way of trying the question, and added that it would be more mortifying to the Lords to have the plan rejected after a conference than now.

Their Lordships divided.—For the original Clause 37: For the Amendment 27—Majority 10.

The House resumed—the Bill was reported, and ordered to be re-committed.

HOUSE OF COMMONS,

Thursday, June 17.

MINUTES.] Petitions presented. By Mr. G. MOORE, from St. Michans, Dublin, against the Deserted Children (Ireland) Bill. Against erecting an additional Church in Saint Luke's, by Mr. HUME, from the Inhabitants of Saint Luke's. In favour of the Parish Vestries' Act, by the same hon. Member, from Robert Withers. Against the Northern Roads Bill, by Lord MILTON, from the Inhabitants of Doncaster. Against the Stamps on Medicines, by Sir M. W. RIDLEY, from the Druggists of Newcastle-upon-Tyne. For a Revision of our Code of Law, by the Marquis of BLANDFORD, from J. D. Williams; by the same noble Marquis, from James Hulme, complaining of the mode of selecting Juries; from Sir H. Lees, against the Stamp Duties (Ireland); and from the Inhabitants of Kenning Hill, in favour of Reform in Parliament. For Protection against Hawkers, by Mr. BRIGHT, from the Tea dealers of Glamorgan.

CONSCIENTIOUS SCRUPLES OF THE MILITARY.] Sir *R. H. Inglis* presented a Petition, signed by twenty-two clergymen of the Deanery of Rochester, complaining that many of their Protestant fellow-subjects serving in the army abroad, were obliged to attend at the superstitious processions of Roman Catholic countries in which they were stationed, and praying that the same indulgence which was extended to Roman Catholic soldiers, of not being obliged to attend at any place of worship but their own, might also be extended to Protestant soldiers. Nothing could be more reasonable, he said, than the prayer of the petition, and that compulsion had been used was known by the case of the two officers who had been dismissed the service for refusing to comply with orders to attend processions which they regarded as idolatrous. He knew also of a young officer who had died in consequence of exposure to the heat of the sun, while attending a Catholic procession. He hoped that some regulation would be adopted to put an end to the practice.

Sir *G. Murray* said, that no violence was done to the feelings of soldiers, for the attendance was confined merely to military duty. He deprecated the discussion of such questions at home, for they would tend to excite invidious distinctions on account of religion amongst soldiers abroad, amongst whom at present, he was happy to say, no such distinctions existed. In all our foreign possessions, such as the East Indies, it was quite necessary to give way to the prejudices of the religious feelings of the natives of those countries, as far as mere military matters were concerned. The only effect of raising such questions would be, to expose the discipline of the army to hazard, and to destroy that harmony as to religious opinions which existed in it.

Mr. *Trant* contended, that it was a violation of the rights of conscience to oblige any British soldiers to attend at those superstitious ceremonies. On the part of the army, he deprecated the practice of requiring the attendance of British soldiers on such occasions; and he could assure the Ministers that if the practice he deprecated were enforced, the people of England would speak in behalf of their fellow-subjects, with a voice and in a manner that would not be agreeable.

Sir *R. Wilson* was as great a friend to religious freedom as the hon. member for Dover, but he could not concur with him in thinking that the respect paid by British soldiers to the religious worship of other people was a violation of their conscience. They only performed a military duty, in obedience to the wishes of their commanding officers, whom they had sworn to obey, and who, if they gave them any improper orders, were amenable to a proper tribunal. He thought there would be an end at once to discipline in our army, if soldiers and officers were permitted to make objections to firing a gun as they were directed. Persons who had such very tender consciences were wholly unfit for the army, and had better remain out of it. If a man objected to fire a blank cartridge to-day, lest he should be supposed to join in some religious ceremony which he disapproved, he might object to fire a shotted cartridge the next day, lest he should take away the life of a fellow-creature, and that was more of a religious question than the other. But what would be thought of an officer or soldier who should make such an objection? Such notions were, in his opinion, excessively absurd, and those who entertained them were unfit for the army; but in justice to the army he must say, he never heard of any such objections amongst them.

Sir *H. Vivian* said, the hon. member for Dover must have been strangely misinformed when he made complaints of this kind on the part of British officers or soldiers. He had been many years in the army, and he had never heard any complaints made by the soldiers or officers; and he agreed with his right hon. and gallant friend, that the introduction of such questions might have a very injurious tendency.

Sir *R. H. Inglis* said, the subject would never have been heard of but for the gross act of injustice done to the two officers he had mentioned.

Sir *G. Murray* denied that there was any such thing as compulsion to any officer or soldier to attend those religious ceremonies.

Mr. *Trant* said, he should be able to prove, by moving for the orders given to officers relating to this subject, that compulsion was used. Was it not absurd and superstitious to oblige British soldiers to attend a procession to do honour to the relics of St. Spiridion, carried about in a sedan-chair? His hon. friend (Sir R. Wilson) disapproved of any harsh terms applied to these ceremonies; but his hon. friend himself had sworn, and so had every Member in the House, at that Table, that some of the ceremonies of the Roman Catholic Church were "idolatrous."

Mr. *Hume* said, the Members swearing it, could not prove it so; but it might show the great impolicy of the oath, and the necessity of repealing it. He agreed with his hon. and gallant friend, that officers who made objections to firing salutes when directed, no matter for what, were unfit for the army. If the extraordinary doctrines broached in Parliament were to become prevalent among the soldiers, there would be at once an end of all military discipline.

Sir *G. Rose* said, there had been some instances of compulsion some years ago, and orders were sent out by government to prevent it.

Colonel *Wilson* said, that the principle of subordination required a soldier's obedience to the commands of his superior officer.

Petition to be printed.

COURTS OF LOCAL JUDICATURE.] Mr. *Brougham* brought in a Bill for establishing Courts of Local Jurisdiction to take cognizance of certain cases therein specified. The Bill was read a first time. The hon. and learned Gentleman, in proceeding to move that it be read a second time, said, he should trespass only for a few moments on the attention of the House, while he gave a brief explanation of the nature and object of the measure which he had thus introduced. It was intended to confine its operation, in the first instance, to the counties of Kent, Durham, and Northumberland; but the provisions of the Bill were all general in their character, and the arrangements were so contrived, that the introduction of a single clause, only, would render the measure susceptible of general application, so that it was equally adapted, and would, he hoped, be ultimately extended to all the counties in England. It had been his object to afford all suitors in courts of law cheap, convenient, and expeditious justice, by bringing the administration of it home to their own doors, and he had little doubt that he should thereby confer a most important benefit on the community. In the system which he proposed, there were included six branches of judicature, — three compulsory, and three voluntary. The first comprehended all actions of debt to the amount of 100*l.*, and of tort to that of 50*l.* The torts to which he alluded were slander, assault, running down of vessels, false imprisonment, and all such cases where 50*l.* might be sued for in compensation. He had besides laid down a system of pleading to be employed in these Courts which would be calculated to avoid the various faults incidental to modern pleading, which it had been his object two years ago to explain to the House. Uncertainty and prolixity would, he hoped, be unknown to the system which he had devised; and the plan adopted would have the further recommendation of cheapness to the parties. A set of the forms provided for this purpose would be found in schedules prepared for the inspection of those who might desire further information as to the details. There were also various means appointed to empower the Court to exercise a discretional authority, in order to keep the pleaders to conciseness, clearness, and simplicity; instead of the present practice of falsehood, wilful mis-statement, and technical mystification. He would enable parties, when so minded, to dispense with a jury; but the acting Judge should likewise have the power to call in a jury if the facts appeared to him to be such as to render their assistance necessary. Doubtful points of law, occurring in any case tried in these Courts, might also be reserved for the decision of the Judge of Assize. A second subject of jurisdiction was comprised in the small-debt-recovery clauses, which was rather an attempt to improve the present Courts for recovery of such debts. The Local Courts he proposed were to have jurisdiction in all cases by plaint to the value of 5*l.* Another branch of the compulsory jurisdiction was that which related to legacies. He knew that on this head there existed a great deal of what some might denominate—but he did not—prejudice, in the minds of those who felt jealous of the possible infringement on the jurisdiction of the Ecclesiastical Courts. He begged, however, the profession would look at the whole scope of his attempt to improve the law in this respect with candour, and without alarm. It was not intended to interfere in the distribution of the property of the deceased, except in cases where it was admitted there were assets unadministered in the hands of the executor or administrator. The grievance now was, that the executor might say to the claimant, "you may go on to your purpose,"—such was the phrase in that Court; well knowing that for a legacy or claim of 50*l.* or 100*l.* no man would attempt to go on to his purpose in that Court. By this Bill it was arranged that, six months after notice of such claim to the executor, redress should be open in these Courts to a claimant; and also, in cases of a similar nature, after twelve months had expired subsequent to the death of the testator or intestate, a form of pleading in the cases had been subjoined—namely, that the party was not executor; that he had no free funds unadministered in his hands, or that, having such free funds, he was apprehensive of their being taken out of his hands by other claimants on them. If he could not substantiate some such plea in his defence, a remedy was to be opened in these Courts. Of the three other jurisdictions he should merely say, the first was a prorogation, by consent, of the jurisdiction of the Judge; the second was the expedient of rendering the whole matter in dispute subject to a trial by the ordinary Judge of the Court; the third and last was the mode of deciding causes by a voluntary reference; and to this was to be added a provision for enabling a suitor, in case any one had raised a claim, or even if he were apprehensive that any one might raise a claim against him hereafter, to cite such claimant, or possible claimant, against him into these Courts, and compel him to establish such adverse claim, or be barred for ever. With respect to the system of Reconcilement, he now spoke with more confidence than he had done formerly; and since he had last addressed the House, he had received a good deal of encouragement to propose the establishment of Courts of Reconcilement. When he moved for leave to bring in the Bill, he had stated that doubts existed among the French lawyers as to the utility of these Courts; but none existed among the Flemish and Dutch lawyers. Since then, he had received a most valuable statement from a Member of that House, relative to the Danish and Hamburgh Courts of this description. Of 50,000 cases brought before the Courts of Reconcilement in those countries, two-thirds or three-fourths were settled, and not one shilling expended, and none of the parties had ever darkened the doors of a Court of Justice or Equity. Thousands of cases were settled by these Courts, which before were carried before the ordinary tribunals, in which the number of cases fell from 10,000 some hundreds to 3,000 some hundreds in the year. These were the principal points of the Bill, which he hoped might be allowed to go through the other stage, and into a committee, *pro forma,* as it was only in a committee that such a bill, the value of which depended on its details, could be well understood. He should also take the liberty to lay before the House an abstract of the whole Bill, in order that those Gentlemen who were not lawyers, and might not be aware of the technical bearings of each provision, might easily make themselves masters of the details, and he would venture to say, that when the measure was taken into consideration, it would be found deserving the approbation of the House.

Sir *Edward Knatchbull* did not rise to oppose the Bill, but being a Representative of one of the three counties to which the hon. and learned Gentleman proposed to limit it in the first instance, he felt himself bound to say a few words in order to guard himself against it being supposed that he was to be pledged, by now allowing the Bill to be read a first time, to any support of the measure.

Mr. *Brougham* explained, that the hon. Member would be pledged to nothing, and would have, he hoped, many opportunities for examining and opposing the Bill if the hon. Baronet thought that necessary, as he wished for nothing more than that it might be frequently discussed. He only begged leave to observe, that he had paid the greatest attention to the details, and he hoped, therefore, that hon. Members would not suppose, that an objection which might strike them had not previously occurred to him, and been met by other considerations.

In answer to a question from the Solicitor General,

Mr. *Brougham* explained, that it was most likely that the Bill would not pass this Session: he should wish that it should now be well considered, and then it might stand over till after the long vacation, if ever the long vacation were likely to come; but he was most anxious that the Bill should be well considered.

Bill to be read a second time tomorrow.

BUSINESS OF THE HOUSE.] Sir *R. Peel* reminded the House of the arrangement which had been made for going into public business at half-past five o'clock, and observed, that he hoped it would be adhered to in future, however it might be infringed upon to-day.

Mr. *Bright* objected to such an understanding, as the time which would be thus allotted to the presentation of petitions was too short to admit of Members doing justice to their constituents. He had himself been intrusted with several petitions relative to the West-Indian interest, which would require a longer time than the right hon. Secretary proposed.

LABOURERS' WAGES BILL.] Mr. *Hume* presented a Petition from the overlookers and operative-spinners of Manchester, praying for the enactment of a law to secure to workmen the full amount of their wages in money. The hon. Member hoped that some day would be fixed for the discussion of the Truck-system, to which this petition referred. It was a measure of vast importance, and ought to be discussed and settled, or given up, as the uncertainty created by its present state was a grievous injury. He hoped to see it, and the false principle on which it rested, given up.

Mr. *Littleton* recommended that an early day should be fixed for the discussion, on account of the anxiety which was felt on the subject, throughout the manufacturing districts.

Sir *R. Peel* acknowledged the importance of the subject, but observed, that Mondays and Fridays were the only days under the control of Government, and those days had been already so encroached upon by extraneous matter, that he never remembered a Session in which votes of supply were suffered to get so much into arrear. Ministers had no power to interfere; the adoption of such an arrangement as he had proposed entirely depending on the general feeling of the House.

Mr. *Baring* also stated, that the whole country was looking with anxiety to this Bill. Many persons were waiting in town for it, and whatever Members might think of the importance of particular measures, there was no one which it was of so much consequence to settle as this.

Petition laid on the Table.

DUTIES ON RUM.] Mr. *Bright* presented a Petition from the West-India Merchants and Planters of the City of Bristol, complaining of the increased duty of 6*d*. per gallon proposed to be levied on Rum. The West-India interest was in a state of depression, which the Chancellor of the Exchequer had acknowledged by proposing to give that interest some relief; and the petitioners complained that after their hopes had been excited by his promises, he had turned round and subjected them to higher duties than before. He hoped the right hon. Gentleman would explain the circumstance which made him turn round and refuse the West-India interest the relief it expected. The right hon. Gentleman anticipated that there would be a deficiency of 300,000*l.* in the revenue; and by the measure he had formerly brought before the House, he expected to cover 200,000*l.* of that; but the duty he now proposed to raise on spirits would yield him 649,000*l.* By substituting this new plan for his old one, that right hon. Gentleman would raise 153,000*l.* more than he required. And what did that right hon. Gentleman mean to do with this surplus sum. To him it appeared likely that the same great interest which had made the Chancellor of the Exchequer give up his former project might also compel him to forego his plan for assimilating the Stamp Duties in England and Ireland, and he wanted this money to be prepared for that contingency. But whatever might be the views of the Chancellor of the Exchequer, it was not to be borne, that Government should change its plans in this manner. The Government ought to be steady and consistent in its conduct. To have these continued alterations and plans of alterations submitted to Parliament was neither equitable nor just. At present rum was almost excluded from two-thirds of the British empire, though the restrictions imposed by the Mother Country on the commerce of the West-Indies could only be tolerated by giving them access to the whole of the home market. In Scotland and Ireland the proportion of corn spirits consumed was as 297 to two of rum. That was very near a prohibition. Such changes as had been alluded to were very wrong; they trifled with these great interests of the State which ought not to be trifled with. It would be better to live under any Government than one that was continually changing, and that brought forward plans which it had not the courage or the power to carry into effect.

Petition laid on the Table.

JEWS' RIGHT TO HOLD LANDED PROPERTY.] Colonel *Wilson* said, he did not mean to take up the time of the House by making a long speech on the Motion he meant to submit. He would merely ask for leave to bring in the Bill, and should take the discussion on the second reading. His object was, in the words of his notice, "to remove doubts as to British-born Jews holding landed property." The Bill did not, he begged it might be borne in mind, originate from the Jews themselves, but from men of birth, education, and wealth, who, like himself, lamented the uncertainty of legal opinions on the subject. He was aware that the opinions of the high law men at present was, that the Jews might hold landed property, like other British subjects; but though that was the present dictum of lawyers, it did not follow that it would be the opinion of their successors. He had himself been in treaty for the purchase of a landed property some years ago, and took the opinion of Sir S. Romilly, and the result was, that he was dissuaded from the purchase because that great lawyer had given it as his opinion that Jews had no right to hold landed property like British subjects. It was time that the question should be set at rest, and that the law should be clearly defined. It was but just, that the Jews should be admitted to all the advantages of the constitution compatible with its safety. He for one would so admit them, excepting to seats in Parliament, and on the bench as judges. Indeed, he was convinced that had the Jews been admitted forty or fifty years ago to the advantages of the constitution, to the extent he had just specified, many of them would since have emigrated towards the Christian religion. The hon. Gentleman concluded with moving for leave to bring in his Bill.

Mr. *R. Grant* would vote against the hon. Gentleman's Motion; because, under existing circumstances, to which he need not more particularly allude, and considering the state of the public business, he felt he should not be doing his duty to the body whose cause he had a few weeks ago unsuccessfully advocated, if he permitted their claims to be again discussed this Session. Either, as the matter at present stood, the whole of their claims should be granted, or none at all; he should not consent to any fragmental compromise, like that proposed by the hon. Gentleman.

Motion negatived without a division.

ST. LUKE'S NEW CHURCH.] Mr. *Hume* rose to move for the appointment of a Select Committee to inquire into the conduct of the New Church Commissioners with reference to the parish of St. Luke. The hon. Member went into a detailed account of the churches at present open for Divine Service in St. Lukes, and contended, that as the parish church had accommodation for 1,200 persons, and the chapel of St. Barnabas for above 2,000 persons, and as the whole of the parishioners were to a man adverse to the erection of another church, the Commissioners were not authorized by Act of Parliament to tax the people for the support of an additional church. The parish, too, had at the present moment a debt of 15,000*l.* and its poor-rates were 25,000*l.* a-year, at the very moment the Commissioners wished to increase the burthens of the impoverished population by a new church, when the old ones were not more than half filled. The hon. Member adverted to the opposition which the Rector and Curate had shown to the wishes of the parishioners; and observed that they had gone so far in exercising the power they supposed they possessed, as to prevent the parish clerk from reading the vestry notices, and the consequence was, that the parishioners had been compelled to prosecute him for omitting to perform the acts enjoined expressly by the Legislature. He also observed that the curate (Mr. Rice) had at one time, when the vestry met to consider the question of the admission of their paupers into the alms-houses, gone so far as to enter the church on a Tuesday, at a few minutes before twelve o'clock, and without any previous notice to commence reading of the Liturgy from beginning to end, in order to disturb the discussions of the vestry. This was done for the annoyance of the parishioners, and under the supposition that they were met to discuss the question of the erection of a new church. The vestry had accordingly been compelled to separate, and left the curate and his clerk to go through the service. He considered such conduct most indecent, and calculated to destroy all reverence for the sacred character. The real question before the House was, whether they would permit the Commissioners to erect a church where they pleased, and contrary to the express wishes of all the inhabitants; and he now therefore moved, that the petition he had presented on the eighth of this month be referred to a Select Committee.

Mr. *Estcourt* opposed the Motion, and contended, that in a parish like St. Luke's, where there were 50,000 inhabitants, and where, as the hon. Member admitted, there was not accommodation for more than 4,000 persons, the commissioners were perfectly justified in applying the funds placed at their disposal by Parliament, to erect an additional church. For that reason, and because he knew the Commissioners to be men of high character and station, who would not lend themselves to any act such as that imputed to them by the hon. member for Aberdeen, he should move a negative to the Motion.

Mr. *Byng* said, that one of the greatest objections he found to the conduct of the Commissioners was, the choice of the place for the erection of the church. They had chosen for its site the poorest and remotest corner of the parish, while, if they had placed it in the vicinity of Finsbury-square, there was every probability of its obtaining tenants for the pews, and proving really serviceable. He had attended the churches, and he found that the parish church was totally deserted, while the chapel of St. Barnabas was tolerably well attended. He also found that the morning service, when the Rector (Mr. Lovell) officiated, was almost wholly deserted, while the evening service, when the parishioners had their own evening Lecturer, was very well attended. He thought, therefore, taking into consideration the poverty of the parish, and the number of churches already existing, that the new one might be dispensed with.

The *Chancellor of the Exchequer* thought, that the fact of the inhabitants preferring one preacher to another was not evidence of there being no necessity for a new church, but quite the contrary. The Commissioners, in the present case, were acting under powers confided to them by Parliament; and he was confident, if the House entertained a Motion for inquiring into the manner in which they exercised the discretion reposed in them, that the Table would soon be crowded with petitions from other parishes with the same object.

Mr. Alderman *Waithman* observed, that the right hon. Gentleman opposite contended that there was a very large population in the parish of St. Luke's, and that the parish church was incapable of holding it. But the fact was, that the greater part of the parishioners were Dissenters, and went to other places of worship than the church. The parish church was never half full. They could not fill the churches already built, and yet they were building others. Were the Church Commissioners above all control? Were they to be the cause of inflicting taxes on the people at their own discretion, and not to be responsible for their conduct? The petitioners stated, and he believed the statement, first, that the new church was absolutely unnecessary; and secondly, that they could not afford to pay the rate levied upon them. It should be recollected, that there were many Meeting-houses of various descriptions, and a great many Dissenters in the parish; a circumstance which contributed to render further church accommodation unnecessary. The petitioners complained of a public grievance; and all they asked for was, a short, simple inquiry, and that the House would hear what they had to state.

Mr. *John Wood* readily allowed that the Commissioners were as respectable a body of men as any in the kingdom, but that would not deter him from remarking on their conduct. The fact was, that they did not possess that kind of knowledge which prevented their being betrayed into errors and jobs. They had, in many cases, been most grossly imposed upon. Churches had been built by their direction where they were not at all wanted. There were many cases within his knowledge of churches having been built in order to bring the adjacent land into greater repute. In his opinion the Motion did not go far enough. It ought not to be confined to the parish of Saint Luke's, but ought to extend to the whole kingdom. He had had complaints of several churches having been unnecessarily built in various parts of the country; namely, at Manchester, Chorley, Preston, Leeds, Sheffield, Tewkesbury, and Studley. In the last instance, the church was built at the distance of a mile and a half from the village, the inhabitants of which it professed to accommodate. By the Act, the churches ought to be not only built, but furnished with all the requisites for performing divine service. Yet that was in many cases not done; and notwithstanding the opinion given professionally by a learned civilian, a Member of that House, and whose opinion all must respect, that practice had been persevered in. The money was originally granted with the understanding that no expense whatever was to fall on the parishes. The hon. member for Middlesex had said, that the Dissenters had not objected to the application of this million and a half to the building of churches. If, however, they had known how the money was to be employed, not only the Dissenters, but ninety-nine out of every hundred men in the country would have objected to it. He understood that that million and a half was not yet wholly expended. It was his earnest recommendation to the Commissioners, instead of looking about for fresh places in which to expend the remainder, to employ it in finishing the churches which they had left unfinished. He wished that some hon. Member would move to repeal all the Acts on the subject, and so get rid of the commission altogether. The Bill on the Table inferred the perpetuity of the commission. It was his unequivocal opinion, however, that the moment they had expended the million and a half, their functions would cease, and that they had no right to draw a single farthing more from the public purse. If the Commissioners were not afraid of the result of an inquiry, why were they averse to it? Other important public bodies were subject to inquiry, and why should not the Church Commissioners?

Dr. *Lushington* said, that, as by virtue of his office, he was one of the Commissioners in question, although he had had nothing to do with the particular case under consideration, he begged to be allowed to say a few words. The money was granted to these Commissioners for the express purpose of building churches in those places in which, to the best of their judgment, those churches were requisite. It was impossible that the Commissioners could be influenced by any motive but an anxiety to make the funds intrusted to them as available as possible to the purpose for which they were granted; namely, the giving to the poorer classes of the people the means of attending divine service, where at present those means were denied them. He verily believed he spoke the truth when he declared that, although in some instances the Commissioners might have been deceived, yet that they had most anxiously, and without bias of any kind, devoted themselves to the fulfilment of their duty. It was a duty of a very difficult character. They had received the most earnest application from all parts of the kingdom. What was it their duty to do? Not to attend to the urgency of the application alone, but to inquire into what parishes there were the greatest number of the poorer classes in the greatest want of church accommodation. Now the parish of St. Luke's had a population of 50,000 persons. It was true that there might be many Roman Catholics and many Dissenters; but still there remained a large portion of the population desirous, but unable, to obtain accommodation in the parish church, owing less to the size of the church than to the want of free seats. It unfortunately happened, that at St. Luke's, as at many other churches, the pews had fallen into the hands of individuals, and there was no law to open them to the public. In the very parish in which the House was sitting, the church had not above 100 free seats. He was decidedly of opinion, that no case had been made out for inquiry. With respect to the professional opinion of his, to which the hon. member for Preston applied, it was certainly the fault, not of the law, not of the Commissioners, but of the parishes themselves, when they were subjected to the expenses alluded to. All the expense to which they ought to be subjected was the annual repair. He would tell the hon. member for Preston, that as far as the Commissioners themselves were concerned, they would be most happy to have their conduct investigated, either by a committee of the House, or by the House itself. He was satisfied it would be found, upon examination, that they had had to encounter greater difficulties than any man could have originally conceived.

Mr. *Hume* made a short reply. The right hon. Gentleman opposite, and the hon. member for Oxford, had expressed their disinclination to drag this august and illustrious body before the House of Commons. Would they say then that there was any body of persons, having the charge of public money, who were above the reach of inquiry? He was satisfied that the House of Commons would not consult its own dignity, and that of the Commissioners, if they refused to inquire. What was the use of building churches where they were not wanted—where the churches already built were not half filled? In his opinion, the commission should have been composed of two or three men of business. He was not to be told that because the Archbishop of Canterbury, the Archbishop of York, the Lord Chancellor, and the Speaker of the House of Commons were Commissioners, that they ought not to be called to account for their conduct. In his opinion they were bound to give an explanation of their proceedings, and to submit to an inquiry.

The House then divided—For the Motion 14; Against it 64—Majority 50.

List of the Minority.

Brougham, James
Byng, George
Dawson, A.
Harvey, D. W.
Jephson, C. D. O.
Monck, J. B.
Marshall, John
Macauley, J. B.
O'Connell, D.
Philips, Sir G.
Stewart, John
Taylor, M. A.
Waithman, Ald.
Warburton, H.

TELLERS.
Hume, J.
Wood, J.

CONDUCT OF GENERAL DARLING.] Mr. *John Stewart* rose to bring forward a Motion for the production of papers and documents connected with the charges preferred by Mr. Wentworth, of New South Wales, against General Darling, the Governor of that colony. He observed that the charges which had been, in this instance, preferred by Mr. Wentworth against General Darling were of a most grave and serious nature, and a short detail of them, he was sure, would satisfy the House that all documents, illustrative and explanatory of the transaction with which those charges were connected, ought to be laid before Parliament by his Majesty's Government. In the month of November, 1826, General Darling altered the sentence of two soldiers who had been convicted at the Quarter Sessions there of a felony, and sentenced to seven years transportation, and instead of allowing them to undergo that punishment, he issued a regimental order, directing that they should be worked in chains in the public roads for the period of seven years; that they should be stripped of their uniforms, and dressed in felons' clothes; and that they should be worked in chain gangs, after being drummed publicly on parade out of the garrison, as rogues. That order was carried into execution; the chains were put upon the two men, whose names were Sudds and Thompson, on parade, and they were brought in that condition back to gaol. In a few days after, one of the unfortunate men, Sudds, died, in consequence, it was said, of the sufferings which he endured in the prison, being at the time in a state of bad health; and a statement of the transaction having been forwarded to this country, he had then felt it his duty to move for the production of such documents as were in the possession of his Majesty's Government respecting the transaction. That Motion he brought forward the session before last, and previous to his bringing it forward, his opinion, founded upon the documents which had been submitted to him, was, that General Darling had no legal right to adopt the proceeding which he was represented to have done in this instance, and that he was not justified in subjecting these unfortunate men to an additional punishment, in consequence of which one of them had died. That appeared to him to be the state of the case, and that was his opinion with regard to it, when he moved, at the period he had mentioned, for those documents, which, he must say, were granted by the right hon. Gentleman opposite in a manner that did him much honour. Upon that occasion, the right hon. Gentleman said, that he thought the House of Commons had a perfect right to the production of any documents with regard to any charge which might be preferred against any governor of any of our islands, or colonial possessions. That declaration did the highest honour to the right hon. Gentleman, and he (Mr. Stewart) had reason to know that, since it had been made, it was followed by good effects in more than one of our colonies. The documents for which he (Mr. Stewart) then moved, consisted of copies of the General Order issued by General Darling, stating the grounds upon which he commuted the sentence of these men, and the manner in which he did so; also of copies or extracts of the despatches of General Darling to the Colonial Secretary, and the despatches of the Government here to General Darling on the subject. The latter documents he was anxious to obtain, with a view to ascertain whether any and what opinion had been expressed by his Majesty's Government with regard to this matter. The documents, however, which were subsequently laid before the House, consisted only of extracts of two letters from General Darling on the subject, and there were no copies produced of the answers from the Colonial-office to those letters, by which the opinion of Government could be ascertained. Looking, at the time, at those two documents, taken by themselves, he would admit that it did then seem to him that General Darling had been legally justified in the course which he had adopted, and he was then of opinion that, though the fate of the unfortunate man, Sudds, was to be lamented, General Darling, in commuting his punishment, did not intend to subject him to any punishment that should endanger his life. That was his opinion, formed from the documents then produced, and he accordingly did not at that time found any further proceedings upon them. About ten months ago, however, he received a letter on the subject from Mr. Wentworth, a barrister in New South Wales, enclosing a copy of a letter, which he had forwarded to the right hon. Gentleman, the Secretary for the Colonies, dated the 1st of March, 1829, and which had been transmitted through General Darling himself, containing most grave and serious charges against that officer. It was necessary for him to mention a fact, by way of answer to what had been said by the right hon. Gentleman in reference to this subject on a former night; namely, that it would be unfair to found any proceeding upon those papers in the case of the governor of a distant colony, who was not able at once to answer the charges preferred against him, and who probably would not have an opportunity of answering them until the lapse of two years. But the charges to which he referred, had been forwarded by Mr. Wentworth, through General Darling himself, to the Colonial-office, and were in the possession of his Majesty's Government ten months ago, as, he was sure, the right hon. Gentleman would acknowledge. He (Mr. Stewart) could not therefore be considered as bringing this subject forward prematurely, or without due notice having been given to the accused party, of the nature of the charges preferred against him. When they were transmitted through General Darling, no doubt they were accompanied by explanations from the Governor himself, which it was desirable to see. If the letter of Mr. Wentworth was forwarded by General Darling, without his offering any explanation of his conduct with regard to the transaction to which that letter had reference, the House would put its own construction upon that fact; but, to him, it would seem to be an acknowledgment of guilt. So strong was the present case, that he thought he should be almost justified in calling upon the House to address the Crown to remove General Darling from his situation. He should, however, content himself now with moving for the production of copies of the charges which had been preferred against General Darling, together with whatever explanations he might have forwarded, or which might have been received from him at any time upon the subject. The view which he had formerly taken, had been founded upon the only documents then produced—namely, the two letters of General Darling; and he then thought that General Darling was legally justified in the course which he had adopted: he thought so in consequence of a clause in the Act of the Legislative Council in New South Wales, which, taken singly by itself, appeared to him to give to the governor the power which he exercised in this instance, and that was the only portion of the Act which the governor transmitted home at that time. He had, however, been induced, from the documents which he now held in his hand, to take a completely different view of this case. The clause in question was the sixth, but taking the whole of the Act together, he was of opinion that General Darling possessed no right to interfere with the sentence which had been passed upon these men by the Quarter Sessions in New South Wales, and that his interference, in this instance, was absolutely and entirely illegal. What were the consequences to which that interference led? It was stated in the documents which had induced him to bring forward his former motion in reference to this matter, that the chains put upon those unfortunate men were of an unusually heavy construction; that they were not long enough to allow them to stretch themselves at full length, and that there were spikes in the iron collars which prevented them from lying easy in any position. In one of the letters of General Darling which had been laid before Parliament, he stated that the chains were of an unusually light construction, that their weight amounted only to 13lb. 12oz., and that they were not calculated to subject the persons upon whom they might be put to any extraordinary pain. He (Mr. Stewart) must say, that he relied at the time upon the truth of that statement; but it was refuted by the documents which he now held in his hand, wherein it was stated, that the weight of the chains amounted to 30lb. or 40lb.; that they were of such a construction as to subject these unfortunate men to dreadful torture, such as could not be endured; that iron spikes extended from the iron collar, which was rivetted round the neck, and prevented the individual wearing it from turning over on either side; that it was impossible these men, while thus chained, could stretch themselves at full length, and in short, that they were subjected to the greatest possible torture. Those facts he stated upon the authority of an officer, Captain Robinson, who had inspected those chains, had tried them on his own body, and had come to the conclusions which he (Mr. Stewart) had just stated with respect to them. Captain Robinson did not weigh the chains, but he had them on in the presence of Lieutenant Christie and others, and in reply to a question from them he said he considered the weight of the chains to be about 30lb. or 40lb. That Lieutenant Christie was now in England; he had been promoted since that time, and he (Mr. Stewart) understood he was ready to come forward to speak to the truth of that statement, either at the bar of that House, or any where else that he might be called upon to do so. It appeared then that the interference of General Darling, in this instance, had been illegal, and that the punishment to which he had subjected these men amounted to an aggravated degree of torture. He begged leave to revert to the mode in which that punishment had been inflicted. He held in his hand a statement of what took place after the chains had been put on those unfortunate men. They were taken from the barracks, where the chains were put on them, back to the gaol, until an opportunity should arise for sending them to work on the public roads. Sudds, it appeared, had been previously alarmingly ill, and it was sworn by Thompson, who had been confined with him, that after his return to the prison his illness rapidly increased until the period of his death, which occurred five or six days after the infliction of the punishment. That took place on the 22d of November, and he died on the 27th of that month. He should now call the attention of the House to the statement of Thompson, the fellow prisoner of Sudds, as to what occurred while that unfortunate man remained in the prison, previous to his death. This statement was extracted from an examination of Thompson, taken on the 23d of April, 1827, in the presence of Alexander M'Leay, Esq., Colonial Secretary; William Henry Moore, Esq., Acting Attorney-General; and William Charles Wentworth, Esq., Barrister-at-Law. In that examination, Thompson says—" The night of the day of our punishment, Sudds was so ill that we were obliged to get a candle about eight o'clock from Wilson, the under gaoler, in order to keep a light during the night. I gave him some tea which I had purchased. About ten o'clock he was getting very ill. I requested a fellow-prisoner to get up and look at him, thinking he was dying. The fellow-prisoner, whose name I do not know, did look at him, and said he was not dying, but he did not think he would live long. I then asked Sudds if he had any friends to whom he would wish to write. He said he had a wife and child in Gloucester, and begged that if he did not get better by the next night, I would read some pious book to him; adding, that 'they had put him in them irons until they had killed him.' Shortly after this I fell asleep, another man having undertaken to sit up with him; I think the name of this man was Moreton; his father is a potter on the Brickfield-hill; he was in the gaol for an assault on his mother. At eight o'clock the next morning, being Thursday, the 23rd, Sudds was taken into the hospital, and I took him some tea, and a little bit of fish, which I think is all he eat till he died. This I think because I had his gaol-rations afterwards. His irons were taken off about twelve o'clock on Thursday, when the doctor came his rounds. I inquired of the attendant in the hospital (whose name was Thompson) how Sudds was on Thursday evening? He said he was a little better. On Friday morning I went to see him, he was in such a state that he did not answer my questions or appear to know me. I squeezed his hand, but he made no return, and appeared to be insensible. I saw him again on Saturday, I heard he had been delirious, and had got out of bed on Friday night; but after twelve o'clock on Saturday, he never spake; and about three o'clock on Sunday, the 26th of November, he was removed to the general hospital, being carried on the shoulders of two men down the steps of the gaol to the entrance, and from thence carried in a small cart, as I was informed, to the Hospital. I was told that he expired about six o'clock on Monday morning." Here they had the dying declaration of this unfortunate man, Sudds, "that they had put him in them irons until they had killed him." He was carried from the gaol to the hospital in a dying state, when he had ceased to speak, and the object, it was stated, of thus removing him, was to prevent a coroner's inquest from being held on his body, which would have been held on it if he had died in the gaol. He believed that it was suggested after his burial, that his body should be disinterred for the purpose of having a coroner's inquest held upon it, but that suggestion was not complied with. Thompson, whose statement he had just quoted, was now also in England. He (Mr. Stewart) believed he had arrived a few days ago at Chatham, and he could be examined as to the truth of that statement. He had then brought the facts of the case before the House; they involved a grave and serious charge against General Darling, and there were two persons now in England—Lieutenant Christie and this man Thompson—who could be examined as to the truth or falsehood of that charge. He thought the House would be of opinion that it was due to public justice, to the colony of New South Wales, and even to General Darling himself, to institute an inquiry into the charges. He thought he had made out a case for an inquiry on the part of the House. That the Government thought these charges required investigation was plain from the answer of the right hon. Gentleman opposite, to a question put by him (Mr. Stewart) some months ago on the subject. The right hon. Gentleman then stated, that the case had been referred to the Attorney General; and on a subsequent occasion, that learned Gentleman said, that the case was under the consideration of himself and his learned colleague, the Solicitor General, for their opinion. He (Mr. Stewart) had not heard that they had since given any opinion upon it. General Darling had himself, in an answer to an address presented to him by the inhabitants of the colony, in reference to this transaction, stated that this impeachment of his conduct was founded upon a gross and base calumny. But if that were the case, how could it be established without inquiry? It was therefore the interest of General Darling, if he possessed the means of substantiating that statement, to have an inquiry instituted. The hon. Member concluded by moving for "a copy of the Letter of William Charles Wentworth, Esq., Barrister, dated 1st of March, 1829, addressed to Sir George Murray, and transmitted through General Darling, together with such documents as General Darling sent with it, in order to explain that Letter, and also copies of all Letters which had been received from General Darling on the subject, and of all letters which had been transmitted by his Majesty's Government to him in reference to it."

Sir *George Murray* felt, that he had some reason to complain that the hon. Gentleman had not given a more specific notice of his Motion, as he (Sir George Murray) would in that case have been prepared to state whether it were proper or not that the papers for which he moved should be laid before the House; at the same time he did not rise to oppose the Motion of the hon. Member. He would not object to the production of such documents as he (Sir George Murray) might find, upon examination, to be fit, and proper, and necessary to be produced for the elucidation of this case, and the facts connected with it. In taking that course he did not mean to pledge himself to the production of the specific documents for which the hon. Member had moved, as he was not able to say at present whether all those documents were such as should be submitted to the House. This case was the subject of a Motion which the hon. Member had brought forward in July, 1828, when he moved for certain papers, which were produced. The case had been then briefly discussed. The fact was, that it had been a practice with the soldiers in New South Wales to maim themselves, or to commit some felony, by which they succeeded in getting discharged from the service. These two individuals in this instance had committed a felony with that view, and the Governor thought it necessary to make an example in their case, in order to check such a spirit amongst the soldiery. They were sentenced by the Quarter Sessions to be transported for seven years, and the Governor commuted that sentence by ordering, as he was empowered by an Act of the Legislative Council to do, that they should be employed at hard labour on the roads in the colony for that period, and that they should be compelled to work in irons. To render the example still more forcible and impressive, he had stripped off their dress on parade, in the presence of the regiment, and had the irons then put on them. When Sudds returned to prison he became ill, and his irons were in consequence removed. It was said that he had been ill before they were put on; but he was not on the sick list, and if he had been affected with previous illness, the Governor was not acquainted with it. He was removed from the gaol to the hospital in consequence of his illness, and that was made a matter of charge by those who wished to place the Governor's conduct in the worst point of view, as if he were removed there to prevent an inquest from being held upon him; but he had been only removed to the hospital in conformity with the usual practice in cases of the kind. His death had been imputed to the irons which had been put upon him. He (Sir George Murray) would read an extract from "The Australian" newspaper, in refutation of that charge. That paper having advanced that charge in the first instance, and having spoken of the great weight of the irons, &c., the next day the editor, in an article referring to a letter from Mr. M'Leay, which he published in reply to his statement, acknowledged he had been in error in attributing to the Governor a departure in this instance from those feelings of humanity by which his conduct had been uniformly characterised; and he further stated, that he never meant to impute to the Governor an intention of producing the death of this individual by the punishment that had been inflicted on him. In the letter which Mr. Wentworth had written to him, he referred to a previous letter addressed by him to the Secretary of State, in December, 1826, on the subject, and in which he stated that the case was one which called for the removal of General Darling, and yet he allowed it to remain unnoticed up to the date of his other letter in March, 1829. He (Sir George Murray) believed that very inflamed and exaggerated statements had been made with regard to this case. To confirm this, he read various extracts from the pamphlet of Mr. Wentworth, commenting upon them, and shewing that they were of an inflammatory and exaggerated description. He controverted the doctrine laid down by Mr. Wentworth, that the conduct of General Darling, in commuting the punishment inflicted on Sudds by the criminal court, into hard labour on the roads, was contrary to law, and showed that General Darling had not put Sudds into chains of such a description as Mr. Wentworth described. He concluded by expressing a hope that he had stated sufficient to show that he had no other desire than to bring under the notice of the House the whole of this transaction. He requested hon. Members however, not to form any opinion respecting General Darling's conduct until they had seen the documents which he should produce, giving a description of the whole of this transaction.

Mr. *O'Connell* thought, that there were several circumstances connected with the conduct of General Darling, since he had been Governor of the colony, which required to be minutely and strictly investigated. For instance, four prosecutions of the Press for libel on four consecutive days, and the parties charged of this offence, tried by military juries, nominated by the Governor, was a circumstance which required examination. He had before brought another case under the notice of the House, and made a motion for papers, which were refused by the right hon. Secretary; and in that case it was stated, that both Judges and the Counsel declared there was nothing in the publication amounting to libel, and still there was a conviction. The last accounts from the colony announced that Governor Darling had issued an Order in Council, proclaiming that the punishment of banishment should be inflicted upon any one who should publish any thing tending to bring the Governor, or any official persons into contempt. The situation, therefore, of this colony required the most vigilant attention of the House of Commons, more especially when the almost unlimited power possessed by the Governor was taken into consideration. On his own shewing, the conduct of General Darling appeared indefensible, because he had imposed an additional punishment on a man already convicted of felony. He denied that the Governor had the power of commuting punishment in this manner; undoubtedly he had the power of mitigating a sentence after conviction, and to send a convict to the chain-gang; but he had no right whatever to increase the weight of the usual chains, and if, by so acting, the death of a man had been occasioned, the law would consider him to have been guilty of murder. In the other case it should be recollected, that the man was no longer a soldier, but a felon. As to the weight of the irons, the ordinary weight used was only about four pounds; and this was heavy enough; but in this case, it was admitted that the irons weighed thirteen pounds twelve ounces, thus putting on an additional weight of upwards of nine pounds. The irons were also of an unusual and torturing description, exposing the wearer to suffocation, and being provided with spikes, projecting from it before and behind, to prevent the wearer from lying down. If by such treatment an offender met his death, of it there was no justification whatever. The man, however, actually died in three or four days after he was ironed in this way. Relief, it was said, had been given by sending him to the hospital from the prison; but that avoided the coroner's inquest. If he had died in gaol, there must have been an inquest, and as it was, the Governor might have caused one to be held if he thought it advisable. Then Mr. M'Leay wrote, that the chains worn by Sudds were to be seen at the gaol; but that was a mistake; for the chains to be seen were those worn by Thompson, who was also obliged to be sent to the hospital; Sudds died, and Thompson was near dying; and under what circumstances? It appeared that the shame and degradation of the punishment killed Sudds, and could he have been a hardened offender if shame killed him? Certainly not. But if the Governor had a right to accumulate punishment upon him, had he any right to increase his chains? And here he would ask, did not Mr. Wentworth offer to prove, that the irons shewn were not those usually worn by Sudds, that those placed upon him weighed twenty-eight pounds; and that Captain Dumaresque went to the road-gang where Sudds was, and took them off. But this was not the only instance in which General Darling had gone further than he ought, for there was one case of an unfortunate Irishman, mentioned in the newspapers, and which, if untrue, was a gross libel. That man was accused of perjury, committed in a voluntary affidavit; and he was convicted by a magistrate, and sentenced to be transported to a penal colony. He had his case removed by certiorari; the Attorney General was consulted, and when appealed to, he said, that there was no ground for the sentence, and the man was discharged. Notwithstanding this, however, he was seized by order of the Governor, and by his mandate alone sent off to a penal colony, although he had 100*l.* in the Saving Bank, not one shilling of which could he give his wife. Need he also mention the case of Lookaye, who was tried and sent to a penal colony, although his term of transportation was nearly expired; and who having his hopes of return home thus cut off, put an end to his life. When cases of this kind were numerous, was it asking too much, that the House of Commons should institute an inquiry into all the circumstances of the colony, connected with the administration of General Darling. Such was the case stated by Mr. Wentworth; and he would not venture to put his name to the pamphlet, if the general sense of the colony did not bear out his statement. Even supposing the Governor not to be guilty of the crimes charged against him, still there was evidently such a want of management in him, that he was not the most proper person to hold such a situation. His persecutions against the newspapers proved this; but at present he would only say that it was admitted that Sudds had been put in irons three times the usual weight, and on that ground alone inquiry ought to be instituted.

The *Attorney General* observed, that as his right hon. friend had stated his perfect readiness to produce all the papers that were necessary for the discussion of this subject, the hon. and learned Member ought not to have entered into a tirade upon the conduct of General Darling with respect to Sudds' case, and with respect also to the press of the colony. He trusted that the hon. and learned Member and the House in general would wait till the papers were on the Table, and, above all, that no hon. Member would think of saying anything in prejudice of the conduct of General Darling merely on the authority of newspapers and pamphlets. Nor did the propriety of reserve on this subject at the present moment depend entirely on the circumstance that these charges against General Darling were chiefly to be found in newspapers. He knew that many of them would be said to be justified by the statements made in the pamphlet published by Mr. Wentworth; and it had been already said that that gentleman was too respectable to have made the statements he had put forth unless he had some good ground for believing them to be true. He would not deny the respectability of Mr. Wentworth; but he believed, that when the papers were laid on the Table of the House, he should be able to convince every hon. Member who took the trouble of examining them, that many of that gentleman's statements were founded in mistake. As a proof of this he might mention the alleged concealment of the chains that had been put upon Sudds, and the estimated weight of those chains, on both of which points he was convinced the House would agree with him that the statements hitherto made had been quite erroneous. With respect, also, to the illness of Sudds, he should be able to show that the Governor knew nothing of that illness till the man died; besides which he might observe, that there could hardly be anything more preposterous than the idea that the Governor had had the man transferred from the gaol to the hospital, in order to conceal the perpetration of a murder. He thought the hon. Mover would find it expedient to modify his motion, and he had no doubt that it would be found that the whole justice of the case would be attained by the production of such papers as the right hon. Secretary for the colonies might deem it fit to lay upon the Table of the House.

Mr. *Hume* said, that after what had fallen from the Attorney General, he felt called upon to assert that the statements of Mr. Wentworth were deserving of very considerable attention, on account of the great respectability and high character of that gentleman. Mr. Wentworth was a Barrister of great practice, enjoying much more of the confidence of the inhabitants of the colony than the Governor. Mr. Wentworth came forward boldly with charges against the Governor, on account of which he wished the Governor to be called home, in order that he might be tried here for acts which could not be investigated there, but which amounted, or appeared to amount by implication, to a charge of murder. That was all the part which Mr. Wentworth had taken. It was possible, he hoped, it would ultimately appear, that these charges were ill-founded; but if the innocence of the Governor were so clear, there was something extraordinary in his conduct, he having persecuted the press for what it had stated upon the subject. The press and that House were the only guardians of the colonists from the tyranny of Local Governments. The Governor of this colony had actually put an end to the papers in it, and within the last forty-eight hours papers had arrived in this country with black edges, and, as they expressed it, in deep mourning "for the death and burial of the press of New South Wales." The hon. Member referred to a clause of a Local Act, by which a person, upon a second conviction, might be banished from the island; and he observed that though banishment from Botany Bay might here sound very ludicrous, it might be a heavy punishment to an individual who had settled there, and who was suddenly turned out of the colony at the caprice of the Governor.

The *Solicitor General* wished to say a very few words upon this subject. When a motion was made for the production of papers relative to the conduct of General Darling, the hon. and learned Member opposite took the opportunity to advance certain charges, upon mere newspaper authority, which went in a very serious manner to criminate that gallant officer. Surely nothing could be more unjust or improper than this. The hon. and learned Member took it for granted that the conduct of General Darling had been illegal. Now, there were two questions for consideration. First, was his conduct illegal? Secondly, was it improper? The hon. and learned Member would admit that it was not illegal in General Darling to prosecute the man, and the jury found him guilty of felony; that he was guilty there could be no doubt, and therefore neither the Governor nor jury could be blamed on that score. The question then was, as to the right or power of the Governor to commute the punishment. But the hon. and learned Member knew that that depended upon the nature and construction of the Act of Parliament, to which allusion had been made. Upon his interpretation of that Act the hon. and learned Member contended that the Governor had no right to commute the sentence of the Court. That, however, was a question fairly open to doubt; and, therefore, if the Governor came to a conclusion in favour of the prisoner, it was impossible that any man could arraign his conduct. The act of the Governor was a *bona fide* act, dictated by very different feelings and motives, from those attributed to him in the pamphlet alluded to, and from which some extracts had been read. He did not wish to see heavy punishments or unnecessary restrictions imposed upon the conductors of the press, either in this country or in the Colonies; but when such a pamphlet as that which Mr. Wentworth had ventured to publish, and to send over to this country, containing charges in the highest degree criminatory of the conduct of General Darling were sent forth, it was quite time to take some measures to curb a licentiousness, which, if permitted, would inevitably bring the conduct and character of all public officers in that country into hatred and contempt. That pamphlet was as libellous a publication as ever issued from the press in any colony. That, however, was not the time to go into a justification of the conduct of General Darling; but when the papers were laid before the House, he was sure that the House would be convinced that General Darling had done nothing either illegal or improper.

Mr. *Jephson* said, that this discussion was not altogether useless. The House had not a more important duty to perform, than that of watching the conduct of governors of colonies. He was glad that the right hon. Gentleman was willing to produce the papers connected with these transactions, so as to enable the House to judge of the truth of the charges brought against General Darling—charges which called loudly for speedy and accurate investigation.

Mr. *John Stewart* stated, that as the right hon. Gentleman had promised that these papers should be immediately laid upon the Table of the House, he would not press the matter further; but would, to meet the suggestion made on the other side, alter his motion to this form:—"For copies or extracts of communications received from General Darling, relative to the transactions in question."

Sir *George Murray* said, that if the hon. and learned Member would withdraw his Motion, he would give his assurance to produce all such Documents as might seem necessary for the elucidation of the question. He had no desire to withhold any information upon that matter from the House.

Mr. Stewart withdrew his Motion.

MERCHANT SEAMEN'S FUND.] Sir *Matthew W. Ridley* made a few observations upon the hardships imposed upon Merchant Seamen, by the laws which obliged them to contribute 6*d*. per month out of their hard-earned wages for the support of Greenwich Hospital—none of the benefits of which belonged to them; and moved for leave to bring in a bill to amend the Acts of William 3rd and 20 George 2nd, c. 38, relating to the Merchant Seamen's Fund.

Mr. *Pendarvis* seconded the Motion, and stated his opinion that the merchant seamen already suffered extreme distress, and that they ought not to have any unnecessary burthen imposed upon them. They would be very glad to receive the relief now proposed.

The *Chancellor of the Exchequer* said, the right hon. Baronet must not wonder if he was not prepared to concur with the present Motion. The effect of it would be, to deprive on the one hand, the hospital of the benefit it now derived from the fund thus raised; and, on the other, the merchant seamen of the advantage they now enjoyed from the capacity for admission there, after a short service in the navy. He did not think that such a change ought to be made without a grave consideration of the effect it would produce. If upon a full consideration of the whole case the Legislature should think fit to exclude from the hospital those who had not been, for a length of time, in the actual service of the State, that would be a different question; but, as long as the merchant seamen had the advantage they possessed under the present law, he did not think it either unjust or improper to continue their obligation to make this small pecuniary payment for the enjoyment of such an advantage. He believed that though some seamen might find fault with the present law, yet that the complaint was not so general as to call for the immediate interference of Parliament, and he therefore trusted that, for the present, the Motion would be withdrawn.

Lord *W. Powlett* supported the suggestion to withdraw the Motion at this moment; but, at the same time, he must say, that the present laws imposed a great hardship on the body of merchant seamen, as all were obliged to subscribe, while it was impossible that all could ever be entitled to enter the Hospital, and receive the benefit of that institution. Besides this, they contributed 6*d.* more per month to another fund, and by these two modes of contribution, 1*s.* per month was taken from their scanty wages. Their case certainly deserved consideration.

Mr. *Warburton* observed, that these seamen, though they did subscribe to the support of the Hospital, were not entitled to any benefit from it merely as seamen, but only as seamen who had been for a certain time in the public service. But there was another objection to the continuance of this fund in its present state, and that was, that it was too expensively collected. The cost of its collection amounted to a sum varying from eighteen to twenty per cent.

Sir *George Cockburn* said, it was not quite true that these men had the right of being admitted only as having served some time in the Navy—they were often admitted as old seamen in distress; and cases of admission for such causes were every day occurring. He doubted whether the giving up the contribution of the sixpences would be popular, if it were accompanied, as it must be, with a loss of the right to enter the Hospital without having previously served fourteen years in the Navy.

Sir *M. W. Ridley* said, that at present he should rest satisfied with the explanation of the right hon. Gentleman opposite, and would take the opportunity of reviving the subject in this or another Session, if circumstances should render it necessary. He consented at this moment to withdraw his Motion.

SUITS IN EQUITY BILL—COURT OF CHANCERY.] Mr. *Brougham* submitted to the House that this was not a fit and proper time to continue the discussion of this most important subject. It was past ten o'clock, and he did not think a full discussion could be afforded to the subject within the space of time that the House could this night conveniently devote to it. He should have had great hesitation in stating what he now did to the House, but that he saw there was a large supply of matter for their discussion; so that he had no doubt the time of the House could be well disposed of in its consideration. Among the rest, there was the important subject of the Sale of Beer Bill, which he thought might well be discussed to-night. He wished to enter his protest against going on at that moment with so important a subject as the Equity Jurisdiction. He was sure that, at that hour, the House was not capable of doing justice to it; and he was convinced that, by going on, it would save no time whatever.

The *Chancellor of the Exchequer* had been fully prepared to go into the discussion of the Sale of Beer Bill to night: but he had, at the earnest desire of Gentlemen opposite, fixed that discussion for Monday, in order to allow the debate on the Court of Chancery to be proceeded with to-night.

The Order of the Day for resuming the adjourned debate read.

Mr. *Cutlar Ferguson* said, the lateness of the hour was felt by him, and he should therefore endeavour to address the House as briefly as possible; there were, however, some points to which he thought it necessary to call attention. In the first place, he begged to state that he should vote for the learned member for Plympton's Motion; though, in so doing, he could not concur in a great portion of what had fallen from that learned Gentleman. In one point, in particular, he must differ from him; he meant as to the motive which had induced the learned Lord to bring this measure forward; for he could not agree that any other motive had induced the Lord Chancellor to bring his Bill into the other House, but that of relieving the suitors of the Court of Chancery. Indeed, as he looked at it, this measure would relieve the two other Equity Judges, but with respect to the appeals, which chiefly concerned the Lord Chancellor, it would be of no service to him. But the House had not only to be satisfied of the purity of the motive of the learned Lord, but also of the necessity that there was for a fourth Judge, before they could concur in the measure. He would not say that there was no such necessity, but at all events there was no information before the House to induce it to say, that it ought to agree to the appointment of a new Judge. The learned member for Plympton had rested his argument against the appointment on two grounds:—The first was, the Returns before the House, and the other was, the declared opinion of the two Equity Judges, and other competent persons. These Returns certainly did show that there were arrears; but though they had been accumulating for the last three years, during the last four months, such efforts had been made, as showed that the Judges were equal to the despatch of the causes before them. In 1827 there had been 576 causes on the first day of Hilary Term; and in 1830, at the same period, the number was 928; but at the first Seal before Easter Term that number was reduced, by the exertions of the Judges, to 655. The accumulation, therefore, had decreased 273. This reduction had been chiefly caused by the exertion of the Master of the Rolls, who now sat simultaneously with the other Judges, by which he had been enabled to get through an enormous quantity of business. On the first day of Hilary Term the number of causes before the Chancellor and Vice-chancellor were 466, which, by the first Seal before Easter Term, were reduced to 323; and the number at the same period before the Master of the Rolls was 462, which, by the like time, was reduced to 332. The question, then, which the House had to consider was, whether the means of the Court were adequate to the reduction of the arrears; and if this were the case, they were certainly bound to object to the appointment of a new Judge. But if the manner in which they had been going on for the last month and a half was to be taken as a criterion, the present means were certainly quite equal to the business. If, however, they were not equal to the work—and this, he would confess, had been his opinion till he had seen the calculations which he had just stated to the House—it was absolutely necessary that the fourth Judge should be appointed. So much had this formerly been his opinion, that in the Debate in February, 1828, he had stated that nothing could reduce the arrears of the Court of Chancery, and enable the Judges to despatch the business brought before them, so as to clear the way from day to day, but the appointment of this fourth judicial functionary. But the learned member for Plympton had also relied on the evidences of the Vice-chancellor and the Master of the Rolls; and he had stated—what he (Mr. Ferguson) believed had never been attempted to be controverted—that the Master of the Rolls had never affected to conceal his opinion that there was no necessity for a fourth Judge. The learned Gentleman had also stated that the Vice-chancellor did not think such an appointment necessary. Sir Launcelot Shadwell had certainly given evidence before the Chancery Commission in favour of the appointment of a fourth Judge; and Mr. Bell had also expressed the same opinion at that time; but both of these learned persons had since seen grounds for altering their opinion, which probably had arisen from the result of those Returns, the contents of which he had just stated to the House. But the fact of their having five years ago held this opinion, and having subsequently on such evidence changed it, was to him the strongest proof that no new Judge was necessary. Mr. Bell, in a recent publication, had positively stated that there was no such necessity; and certainly some weight was due to his opinion. But at all events the Vice-chancellor and the Master of the Rolls were the best possible witnesses in this case; for on them it was, that the labour chiefly fell. On these grounds he was of opinion that the House ought to inquire and have evidence, particularly as to the last three months, before it sanctioned the appointment of a fourth Judge. When he had formerly supported the appointment of a fourth Judge, he had not supported that alone, but had urged the necessity of accompanying that measure with such a system as should remove the abuses of the Court of Chancery, and accelerate the despatch of its business; and without such an accompaniment he would never, under any circumstances, give his consent to the proposal. The Equity Commission, which had been appointed five years ago, and which, for two years, had continued to give its best attention to this subject, had furnished a report which contained many excellent recommendations, and he certainly was bound to express his surprise that some of those recommendations not been acted upon in the present Bill. Before anything, however, was decided on this subject, he wanted to see the Master of the Rolls in full operation, and the Vice-chancellor continuing his exertions in the manner of the last two or three months; and then, if next Session it should appear that what had taken place was the mere spirit of the moment, and that the Court was again getting into arrear, he should be the first to say that a fourth Judge ought to be appointed. The learned member for Plympton had contended, that this measure would take the Chancellor out of his Court; but it might be remembered, that this had been the very argument used in the debate upon the Vice-chancellor's bill, and yet no such thing had come to pass. The fault that he found had already been committed, which was the appointment of another Judge of Appeal; the consequence of which was, that they could not even finally hope for uniformity of opinion; and he could inform the House that the appointment of a second Judge of Appeal had given great dissatisfaction in that part of the country to which he belonged, for it was there felt that they had a right to have the judgment of the highest Law-officer of the Crown. He was, therefore, perhaps, willing to admit that the appointment of a fourth Judge might prevent the Lord Chancellor doing the same business as now in original causes; but he was disposed to contend—though he knew that the position would meet with opposition —that this circumstance would not make the Chancellor a bit the worse Judge of Appeal. [*hear, hear!*] Those who in mockery cheered that opinion did not appear to have considered that the Chancellor had, as a Judge of Appeal, to dispense Scotch law as well as English law; and this being the case, it was evident, that it was not essentially necessary for him to hear the original cause. Indeed it appeared to him to be preposterous that the Judge in the original cause should be the Judge in the Appeal also; for this, after all, was really the case. Let a foreign lawyer be taken to the House of Lords, and he would be perfectly astonished. There, instead of the 400 Judges whom he might have expected to find, he would only see the Lord Chancellor, with two other Peers, who acted in rotation; so that one day the learned Lord might be supported by an Irish Bishop and a Scotch Lord, and another by two young men of fashion, from St. James's-street. And what when the judgment was pronounced? Why the foreigner would say, "Oh, I heard all this in the Court below; the same judgment, in the same words, delivered by the same person." Let him not after this be told that appeals were few in number; no wonder that they should be so, when this was the case. If he knew that the Judge, only in a private conversation, had expressed an opinion against his cause, should he not be a fool and a driveller to saddle himself with the costs to have that unfavourable judgment only the more irrevocably confirmed? But let the same foreigner be taken the next day to the House of Lords, and there he would hear a Scotch Appeal: of course it would be expected that the presiding Judge was a man learned in the law of the land whence the Appeal came; but what was the fact? He was, on the contrary, a man that actually knew nothing at all about the matter he undertook to determine; of course, in saying this, he was not alluding to any particular Chancellor, but to English Chancellors generally; and the consequence, therefore, was, that the most elaborate and painful decisions of the Scotch Judges had been unwisely overturned. This certainly was a most grievous state of things; and he should, therefore, be glad to see the day when a person really learned in the Scotch law was appointed to assist the Lord Chancellor in such decisions, and prevent his forming opinions directly in the teeth of the law of Scotland. As to the system of the Privy Council, it was indisputably bad, and required immediate alteration. It was known that the Master of the Rolls was not bound to attend. He was neither more nor less when he sat in the Privy Council than a voluntary Judge, who, when he thought proper, might employ his unoccupied time in that Court, before which the most important matters were decided. He saw them in some instances decided by that voluntary Judge, assisted by the Ex-governor of a colony, and by, perhaps, a stray Lord of the Admiralty. It was, he conceived, absolutely necessary to the due administration of justice in this country, that an efficient and proper Court of Appeal should be established—a High Court of Justice, composed of the most eminent among the Chief Judges, and containing also persons acquainted with colonial affairs. In the formation of such a Court, there was much which might advantageously be borrowed from a neighbouring country; he meant France, in the judicial institutions of which there was much worthy of our imitation. To effect the alterations which he conceived to be necessary in the administration of justice in this country, it would be requisite that the House of Lords should divest itself of its appellate jurisdiction. He would not say—but Sir Matthew Hale had said—that that jurisdiction was in its origin usurped. No doubt, whenever that jurisdiction was to be got rid of, it could not be by a bill originating in the House of Commons. Their Lordships, whatever modification of it might take place, must originate the measure themselves. Whether it was a Committee of the House of Lords, or the House of Lords itself, there could be no doubt that some modification of the system was demanded, let that modification be what they pleased. It had been suggested, and it was a suggestion not much to be objected to, that there might be an appeal in Chancery, not to the Lord Chancellor himself, but to him jointly with the two other Judges; at the same time that he thought there ought to be no appeal from the Lord Chancellor to the subordinate Judges. An arrangement of that sort would be an improvement; but he was opposed to any intermediate appeal. He would desire to see anything of that kind cut off altogether. He further wished to see the Vice-chancellor rendered an independent Judge; at present he was subordinate, and possessed, comparatively, no authority. He could decide nothing but what the Lord Chancellor sent to him. If the Bill passed, and he very much doubted whether it would pass, they ought to make the Vice-chancellor independent, and put him in the same situation as the other two Judges. The hon. and learned Gentleman then adverted to the great and beneficial expedition which the present Vice-chancellor exercised in respect of the great accumulation of causes in his Court; and really such was that expedition, and so well were the causes disposed of, that he did not despair of seeing the whole arrear dissipated; and if it should again begin to accumulate, of which he saw no probability, means might be taken for remedying the evil when it really existed. Of the little probability that such an event would take place, the House could judge from the fact, that only three causes were entered on the Vice-chancellor's paper since it was cleared. He next proceeded to bear testimony to the valuable labour of his hon. friend, the member for Durham, in the cause of Chancery Reform, and he hoped that hon. Member would see that reform accomplished for which he had so long and so meritoriously laboured—that reform, by which delay would be put an end to, and expense diminished—that reform, by which it might be rendered worth a suitor's while to go into Chancery for 500*l.* It was well known that no man of prudence would now go into Chancery for that sum. Though, under existing circumstances, he was opposed to the proposition, yet if arrears should again accumulate, he would rather agree to a fourth Judge than permit the continuance of so enormous an evil as the state of the Court of Chancery constituted some time since.

Mr. *Twiss* would not so far abuse the indulgence of the House as to enter upon the discussion of any topics excepting those to which the Motion before the House necessarily gave rise. He believed that all history justified the assertion, that the Court of Chancery was remarkable for the accumulation of arrears; it was indisputable that, from the earliest records, arrears were accumulating, and accumulations of arrears, with very slight exceptions, had distinguished the course of that Court for many centuries past. It would not be necessary for him to go back to very remote history for the purpose of showing that now the interference of the Legislature was required. It must be known to most of the learned Gentlemen who heard him, that, at the beginning of the present century, the appeals before the Lords had increased to such an extent that the Lord Chancellor could not keep them under. He was entitled, upon the authority of Lord Eldon, to state that, before the Union with Ireland, the appeals from the Court of Chancery in England, from the Court of Exchequer, and from the Courts of Common Law, were very few; but the moment the Union between this country and Ireland took place, they were deluged with appeals from the sister country; and such was their length, complexity and importance, that he might state, as a fair specimen of the whole of those appeals, that one of them was more difficult of decision than twenty English appeals. Again, after the revision of the Court of Session, the amount of Scotch appeals was prodigiously increased. In order to make apparent to the House the vast increase of business in the Court of Chancery, he begged to call the attention of the House to these facts. In the three years immediately antecedent to the Irish Union, the number of bills filed in the Court of Chancery was 4,021. In the years 1810, 11, and 12, they amounted to 5,699. The Vice-chancellor was then appointed; and in 1814, 15 and 16, with three Judges, the various matters set down for hearing, bankruptcy petitions, lunacy cases and causes, amounted to 2,478; and in the last three years to 3,589. In the first-mentioned period the bankruptcy and lunacy cases amounted to 2,323; in the last three years, to 3,183—being an advance of 860. At the time the Vice-chancellor was appointed, the appeals before the Lords amounted to 124; they were now 202, being an advance of 78; not less than three-fourths of the whole amount of business. It had been contended, on the other side, that the arrears were rapidly diminishing, because the amount of arrear at the present moment was less than it was at last Hilary Term; but though the number of cases in arrear now rose only to 655, it was important to observe, that at the beginning of Easter Term, in the last year, they only came to 588. At the period of the year to which he referred, there was an almost uninterrupted sitting of four months, with scarcely a holiday; and that fact was, of itself, abundantly sufficient to account for the state of the business; but by no means to furnish an argument against the appointment of the fourth Equity Judge. The hon. and learned Gentleman, the member for Plympton, had referred to an opinion he had formerly expressed upon the subject of the appointment of a fourth Judge. Now, his opinion, he was perfectly aware, was a matter of no moment, nor should he have adverted to it for any other purpose than that of vindicating his own consistency. He denied altogether that the language he made use of, on the occasion referred to, at all warranted the inference that either then or at any time he was opposed to the appointment of a fourth Judge in Equity, but he did feel that it was his duty, though holding the situation of Counsel to the Admiralty, to vote against those with whom he was generally in the habit of acting. He made a distinction between the officer of the Government, and the Representative of Wootton Basset, and separated himself from those friends, now near him, with whom he had been in the habit of previously voting. Passing from this brief defence of his own conduct, to the question more immediately under discussion, he observed, that, whatever might be thought, *à priori*, of the appointment of the third Judge (alluding to the time when the Vice-chancellor was appointed), there could be no doubt that the result fully justified the measure; and now he would put it to the House, if it became necessary to appoint a third Judge in the year 1813, how much more necessary was a fourth Judge when the business generally of the Court of Chancery had increased one-half, and when the bankruptcy and lunacy cases had been augmented one-third? Besides that, the nature of the cases should be borne in mind; it was not alone a reference to the figures of the hon. Gentleman, but a consideration of the character of the business, that should influence the decision of the House. The business of the Court of Chancery was every day becoming more and more complex. In illustration of this, he made a comparative statement of the business in some periods and at present: in the year 1740, the amount of money lodged in the name of the Accountant-general of the Court of Chancery was 1,290,000*l.* In the year 1812 it amounted to 34,000,000*l.*, and at the time he was speaking, it was between 39,000,000*l.* and 40,000,000*l.*, to say nothing of the difficulty and complexity introduced by our varied foreign and colonial relations, and by the amount of our public debt; both by our prosperity, and by our embarrassment, the amount and nature of the business in the Court of Chancery was increased. The whole of the proceedings in the Court of Chancery had of late years materially increased; recurrence was much more frequently had of late than formerly to the practice of obtaining injunctions to prevent waste, as well as injunctions for other purposes. It was not an exaggeration then to assert, that from all those causes the business of the Court of Chancery had increased threefold. The consequences of such increase, causing delay in deciding all causes were most ruinous to the interests of the country and most destructive to anything deserving the name of justice. Amongst the various consequences arising from that condition of the Equity business was this—that the delay in the Court of the Master of the Rolls amounted to three terms, and that in the Vice-chancellor's to six terms. Thus, if a cause were set down for hearing in Hilary Term, in the present year, in the Vice-chancellor's Court, it would not be adjudicated till the June twelvemonth following; and if set down in the Rolls' Court in Michaelmas, it would not be heard till the next Trinity Term; and as there were in each case three adjudications, four years and a half must elapse before justice could be done, except in the very shortest and simplest cases, let the necessity for the doing of that justice be ever so urgent. So fully aware were the generality of litigants of the impossibility of their obtaining an adjudication of their causes at an earlier period than the time he mentioned, that they in a great number of cases shaped their proceedings in such a manner as to obtain the opinion of the Judge by whom it was to be tried, on the general merits of the question, long antecedently to the period at which it would come on in the regular course of events—thus infinite delay, expense, and vexation, were created. The business of the Court of Chancery was hourly increasing, both from the altered condition of society and from the gradual changes in the nature of the proceedings of that Court. Parties to suits were becoming more numerous than they had been, and always more numerous than in a Court of Common Law; and every case of death or bankruptcy demanded a commencement of the proceedings *de novo.* For that delay of justice, he hesitated not to say that Parliament was responsible to the country. It had been said, that the effect of this measure would be to increase the number of appeals, and he admitted that the number of appeals must be in proportion to the number of causes originally heard; but to urge that as an argument against the present Bill, was as absurd as to say that the merchants of this country should not take advantage of any new channels of trade that might be opened, because the number of losses at Lloyd's must increase in proportion. After observing that the Vice-chancellor deserved infinite credit for the extraordinary exertions he had used to expedite the business of his Court, he warned the House not always to rely on similar exertion. That learned Judge had given many hours and even weeks that were not due to the public, to get rid of the arrears. He, however, had the advantage of a good constitution, unimpaired by disease, and unbroken by age. But what that learned Judge had done could not be done permanently, or by future Judges. Great praise was undoubtedly due to him for the zeal, diligence, and talents with which he had discharged the duties of his high situation, so as to effect such an extraordinary reduction in the number of causes before that Court over which he so ably presided; but did it therefore follow that other Judges, or that his successors, should in the same manner devote themselves, and give up all rest and leisure for their duty. Other Judges might not be so active nor so young, nor capable of performing their duty in the same manner. There was another consideration of some weight. It was far from being admitted, even in that House, and still further from being admitted by persons in the profession, that it was for the advantage of suitors, or of the public, that the whole time of the Judges should be occupied in laborious attention to their judicial duty, without rest or relaxation at suitable periods, so as to relieve the mind and repair the body from the fatigue of excessive application. The whole of these considerations too were applicable to the case of barristers practising in those Courts. It was not the duty of the Bar in Court alone the House ought to consider. Out of Court, the barrister in practice was continually employed in preparing pleadings and oral arguments. It was not for the benefit of the suitor, and it was certainly degrading to the profession, when the barrister had no time to refresh his mind. To keep the profession liberal in nature as well as in name, some time must be allowed to the barrister for relaxation; and therefore, however laudable the exertions of the learned Judge who had been alluded to, those exertions could only have a momentary effect on the general business of the Court. There was only one other particular to which he would call the attention of the House. In the choice of the measure which the House ought to adopt, there were obviously two courses, between which the House must choose: the one safe, to say the least of it—the other insecure. If the House adopted the former, and agreed to the Bill now proposed by his hon. and learned friend, he sincerely believed that no man would hereafter have to reproach himself with giving his assent to a measure which could not be considered as an inroad on the Constitution, or a burthen on the country. If, on the contrary, the House decided upon adopting the latter course, and resolved to reject the Bill, it must be prepared for the natural consequence, and expect to hear that the delays in hearing causes were vexatious and multiplied—that judgments were deferred until the death of the parties interested made them comparatively valueless, that expense was uselessly incurred, justice indefinitely delayed—and it must expect to hear of much public disappointment; and, as a consequence, of much private despair.

Mr. *Spence:* Sir, as this measure is so immediately connected with that Court in which I have the honour to practise, and as I have given the subject some attention, I trust the House will permit me to offer to its consideration the result of my experience and observation in the course of that practice. My hon. and learned friend, the member for Wootton Bassett, seems to be labouring under a misapprehension. If my hon. and learned friend would on this, as on the former occasion he has alluded to, abstract his character of Under Secretary of State from his character of a Representative of the people in the House of Commons, I am sure I should be able to convince him that the argument on which he proceeds is altogether unfounded. A great deal of my learned friend's argument in favour of the Bill proceeded on the assumption that every cause which was set down would take a year and a half before it was heard, and then that it must be heard twice on further directions, and that on each occasion there would be an equally long delay. Now, Sir, some of the original causes now standing for hearing, may have been set down for eighteen months; but by far the greater number of causes have been set down for a much shorter period. Then as to the delay in hearing causes on further directions. There is not a single—yes, there are five causes now waiting in the Vice-chancellor's Court, to be heard on further directions, and they have been set down for about one month, and not for a year and a half; and these five causes will probably not take up a day in the hearing. We must, therefore, subtract about three years from my hon. friend's supposed delay of four years and a half; and taking three from four years, may perhaps alter his opinion on this question. But it is not on such grounds, Sir, that I have formed my opinion that this Bill, at least in its present state, ought not to pass into a law. A great deal has been said in the course of the debate on this Bill with respect to the opinions of the Judges of the Court, and it has been declared in another place that the Vice-chancellor was averse to the appointment of the new Judge. It is right, in my opinion, to state, and I do so from authority, that the Vice-chancellor's opinion was not called for, nor was it given in public, or intended to be made use of. Every hon. Member who has referred to this subject appears to have laboured under the same mistake. The Vice-chancellor merely said, in private conversation, that as the Master of the Rolls had consented to sit in the morning, and had disposed of so much more business than he had ever done before, it might be well worth while to ascertain what impression could be made on the arrears of business by the united labours of three Judges, before it was determined to incur the expense of a fourth. This was the opinion stated by the Vice-chancellor; but, as I said before, it was an opinion given in a private conversation, and not intended for publication. The Vice-chancellor did not know, and could not conjecture, that it was intended to make use of this opinion as an argument against the present Bill. But, Sir, as far as I am concerned, I am most desirous to discuss this question without any reference to the opinions of the Judges. This, perhaps, will not be wondered at, standing in the delicate situation of practising before the Lord Chancellor, before the Vice-chancellor, and also before the Master of the Rolls. The opinions of the Judges, then, I have put out of the question, and I have founded my opinion upon facts, of which facts I have used every endeavour to inform myself; and have come to the deliberate opinion, that the Bill in question ought not, at least in its present state, to pass into a law. I should conceive, Sir, from the course which this debate has taken, that the House was under the impression, that the hearing of a cause disposed of it. No such thing. It first goes into the Registrar's Office, and then into the Master's Office; and it is in those offices that the delay takes place, for which it is the duty of the House to provide a remedy. In my opinion, the Bills now before the House will not remove the evils complained of in the Court of Chancery, because they apply no effectual remedy to the abuses in the Master's and Registrar's Offices, where the principal causes of delay exist. It is said, that the Bill now under immediate consideration will expedite the hearing of causes; but what good will that do, if we only send a greater number of causes to the Registrar's Office, and afterwards to the office of the Master, where the principal delays take place? If it shall appear that the Registrar's Office is now so choked up with business that it is impossible to get through it with despatch, and if the business in the Master's Office has accumulated so, that it cannot be got through, what relief is it to the suitor, that his cause should be sent to these offices nine months, or even eighteen months, before it now arrives there? If all that you do is to send the case, after it is heard, to offices incompetent to master the business now before them, and therefore utterly incapable of getting through an increase of business, I say you confer no real benefit on the public. Unless you provide means to enable those offices, not only to master the business that is before them, but to get rid of the new business, you make no real progress. Sir, it is known that this measure is coupled with two other bills, one for authorising the appointment of additional Registrars, and the other to improve the practice of the Master's Office. This Bill, however, for the appointment of the new Judge, which ought to have succeeded the others, has passed through the other House, and now only awaits the assent of this House, to have the stamp affixed to it, and to be brought into immediate operation, while the two other bills, which, to be useful, should have preceded this, are just laid on the Table, with very little chance of their being carried into effect during the present Session. They have to pass through the ordeal of the other House after they have got through this; and before they are perfected, will probably have amendments made in them, both here and in the other House, so that it is nearly impossible, I should think, that they can pass into laws during the present Session. Now, Sir, supposing that these bills do pass, let us examine what they propose to effect. With a view to ascertain whether they are fitted to lead to despatch in the business of the Court of Chancery I will shortly call the attention of my hon. and learned friend, and of the House, to the nature of the alterations which these bills are calculated to effect. And, first, as to the Registrars' Bill. I may here state, that the Chancery Commissioners certified that, in order to secure the despatch of the present amount of business, two new Registrars should be appointed. Now, the Bill only proposes that there should be two new Registrars, the number which the Commissioners certified was necessary, without taking into consideration the additional business which must be created in the Registrar's Office by the appointment of a new Equity Judge. I will now call the attention of the House to the regulations which the Bill proposes to make with regard to the Registrar's Office. What does it first propose? Why, that two new Registrars should be appointed, and that they should be barristers, men totally unacquainted with the duties of the office; and next, that the whole system of paying the Registrars and their clerks by fees, should be abolished. Without stopping to inquire into the propriety of placing men, ignorant of the business of the office, to learn it from those over whose heads they have been raised, I may observe, that the abolition of the system of fees would produce an effect the very opposite of that intended. It is well known that there is frequently a great pressure of business in the Registrar's Office, particularly before the long vacation; a pressure so great, that the Registrars work, not for eight or ten, but fourteen hours a day. Now, if the fees which form the stimulant to, and the reward for, this additional labour, are abolished, and fixed salaries paid, the Registrars will work for the office hours, and no more, and the business of the suitors will be retarded in proportion to the time cut off from that during which the Registrars have hitherto laboured. At present, the more orders they get through, the more emolument they derive; but when this inducement is taken away, how they will get through the amount of business now existing in that office, together with the additional business which must be the consequence of a new Judge being appointed, without other, and most important regulations for the despatch of business being introduced into that office, I am at a loss to conjecture. If I found the provision of this Bill shortening the useless labours of the Registrar's Office; if provisions were made for getting rid of the vexatious length of orders; if the long recitals were got rid of; if the Registrars had only to embody the orders of the Court, and not to cram them with long recitals, which are totally unnecessary, and prove mere burthens to the practitioner and the suitor; and a period for delivering out the orders were fixed, then indeed, possibly ten times the business now done in the Registrar's Office might be sent there. In this Bill, as it seems to me, there is no provision against the length of recitals, which is the principal evil; it would rather appear that it was intended to perpetuate that evil.

The *Solicitor General.*—I can assure my hon. and learned friend that he is mistaken.

Mr. *Spence:* I rejoice to hear from my hon. and learned friend, the Solicitor General, that I am mistakên in this supposition. If it be the intention of my hon. and learned friend to get rid of this evil, then one of the great obstacles to an effectual remedy of the defects and abuses existing in that office will be removed. If my hon. friend should introduce such a reform in the Registrar's Office, he will be long remembered as a benefactor to the suitors of the Court of Chancery. Sir, there are so many observations which press upon me, that I am afraid I shall trespass too long on the attention of the House. It does appear to me, however, that appointing two barristers to act as Registrars, concurrently with the present Registrars, will operate as an insuperable obstacle to the despatch of business in that office. By this regulation the clerks in the office will be disappointed; they will find other persons brought in, to occupy places which they had looked to for many an anxious year. It may be right that barristers should be appointed; but yet I hope it will be considered, how those barristers are to learn the duties of the office, when the persons who are to teach them are the very persons whom they have supplanted. I have merely thrown this out for consideration. I will not now commit myself, by saying whether the Registrars should be barristers or any other class of persons. I am only anxious that nothing should be done, with an intention to expedite business, which will have the effect of retarding it. The consequence of any ineffectual measure being now proposed will be, that the public will come to the conclusion that the Legislature is either unwilling or incompetent to afford them any effectual relief. I proceed, Sir, to another source of delay, the Master's Office:—and here I am compelled to say, that the bill relating to the Master's Office is, as it appears to me, nearly as deficient as that relating to the Registrar's. I had hoped that it would be declared that such a charge as 925*l*, for copies of the particulars on the sale of a single estate, should never hereafter be exacted. I had hoped, that the whole system of taking fees for copies in these offices would be abolished. An amendment of that kind would tend much to expedite business, and it would, at the same time, place the solicitor a little more within the control of the Master. This bill declares that the Masters shall no longer be permitted to receive profit from copies; but copy money is still to be paid. My deliberate opinion is, that it is impossible, without an entire alteration of system, to prevent the fees from amounting, as they now do, to what may be called a denial of justice. There should be no fees for copies at all. The solicitors should be at liberty to hand over copies to their opponents, and then the Master would be an effectual check on the solicitor, for he would have no interest himself in the length of copies or proceedings. According to the now existing system, both the solicitor and the Master partake of the profit of copies of lengthened proceedings. In the course of my own experience, I have known cases so expensive in the Master's Office, that I have myself been compelled to apply to the Court for an advance of funds, which might or might not belong to the party applying for them, in order to go on with the suit; and if that has happened to be denied, the suit has slept till the solicitor, or some benevolent friend, has advanced the money required to pay for such copies. Copy money ought to be altogether abolished. This, Sir, is one of the greatest and most vexatious causes of delay. As I said before, it is not the delay between the setting down and the hearing of a cause, but it is the delay in the Master's Office which is the great evil, and there is no effectual provision in this bill to remedy that evil. If the bill contained a provision to secure the regular attendance of the Master; if, above all, it required the Master to sit in public; if it gave the Masters power to decide on one class of matters, and appointed accountants to dispose of the rest, not, as at present, sending every cause to the Master; if the Master himself were bound to hear the causes referred to him according to lists, and not, as now, to depute them to a clerk; then I should have some hope of the delays being got rid of; not that I object to the clerks, if made responsible officers, for many of the clerks would be well worthy of the trust; but what I do object to is, that the clerk should do the business, the fees for which are received by the Master: and if the gratuities the clerk now receives are taken away, what security have we that the business will be done at all. If I found these evils remedied, and that the business of the Master's Office was properly distributed; if I found that the Master was, in this bill, compelled to attend from ten till four, like other Judges; if I found that the causes were followed up consecutively in their offices, instead of being, as at present, heard perhaps for an hour one day, and then an hour another, half of that hour being each day occupied with a discussion as to the precise point at which they left off, and the other half wasted in unavailing inquiry, each party succeeded by another, whose time is spent much in the same manner; I repeat, if there were a hope of getting rid of these abuses; if there were a hope of compelling the Master to stick to one cause, until he got through it, like other Judges; if these things were done, and the Master's time rendered really serviceable to the suitor, then if the arrear of business should continue, I might withdraw my dissent to the appointment of a new Judge; but at the present moment, and without an effectual remedy for these abuses being provided, I cannot conceive that the appointment of a new Judge, to send an additional number of causes to offices already encumbered, and so defective in their constitution, will prove of any advantage to the Court or to the public. If the only good to be anticipated be, to facilitate the hearing of causes, it will amount to very little: because, though there may no longer be a delay of a year and a half between the setting down of a cause and its original hearing, yet there may be an additional delay of years in the subsequent proceedings in the cause. There is also a subject connected with the Master's Office to which I wish to call the attention of my hon. and learned friend. It is impossible for him, or for any other individual with whom this Bill could have originated, to know the details of the Master's Office. Taking the number of Masters at ten, and supposing them in turn to do the business of the public office, there is a waste of the service of one, by the time lost by the Master who sits in rotation in the public office: on such occasions the Master is attended by a clerk, who in effect does all the business. The Master, as I understand, sits passively in the office doing nothing. I see no reason why the officer who files an answer or affidavit should not be allowed to administer the oath instead of the answer or affidavit being carried from one office to another, as it now is. The Masters' Offices are often at a perfect stand-still because, in term, Counsel are obliged to attend at Westminster, and of course cannot attend the Master. Now I should suggest that the duty of the public office should be abolished, by which the services of a Master might be beneficially saved to the public, and the Master, whose time is thus saved, might be employed in the evenings in disposing of matters requiring the attendance of Counsel. Sir, there are numerous other considerations relating to these and the other offices, for there is scarcely an office connected with the Courts of Equity which might not be amended with regard both to an increase of efficiency and a decrease of expense. I trust, however, that my hon. and learned friend, in whose good intentions I have the highest confidence, may be induced to bring forward some further measures which will embrace the requisite improvements in the other offices. I shall, therefore, dismiss for the present the consideration of the necessary reforms in the other offices of the Court. I beg leave to state, however, that if some effectual and comprehensive measures are not soon adopted, unknown and humble an individual as I am in this House, I shall endeavour myself to submit some measure for the removal of the difficulties in the way of the attainment of justice, that shall, in my judgment, be left untouched by the measures now before the House. Sir, I have endeavoured to explain that the Bill under discussion, namely, that for a new Judge, though it may prevent delay in the earlier stage of the cause, cannot materially benefit the suitors or the public, unless the other two bills are passed, and their provisions are made effectual for the despatch of business in the offices of the Registrars and Masters. It is, upon this ground, that I am compelled to vote with my hon. and learned friend, the member for Plympton. The question is, shall this Bill be permitted to pass this House when it will only require the stamp to be affixed to it, to make it a law, or shall it be postponed till the other bills are rendered effectual, without which it will be perfectly inefficient, and which latter bills have yet to pass through all their stages both in this House and the other. In my opinion, we ought not, Sir, to allow this Bill to pass without the others, and without being quite certain that the others will be made to answer the purposes for which they are intended. I shall, therefore, vote for the Motion of my hon. friend the member for Plympton.

Mr. *H. Batley* said, as he was a member of the Bar, practising in the Court of Chancery, he should consider it a dereliction of duty, were he to give a silent vote on a question so important to the interests of the country, and so intimately connected with the profession to which he belonged. He had considered the measure, proposing the appointment of an additional Judge in the Court of Chancery in all its bearings; and had come to a fixed conviction, that such an appointment was unnecessary. He had made the most minute and searching inquiries amongst all the branches of the legal profession, and there was almost an unanimous opinion that a new Judge was not required. His Majesty's Counsel practising in the Court of Chancery, with one or two exceptions at the most, thought such an appointment unnecessary; and so did all the most eminent solicitors in town and country. He coincided in the sentiments so eloquently expressed by the present Master of the Rolls, in his speech in the year 1813, on the appointment of the Vice-chancellor. The high office of Lord Chancellor was primarily judicial, and secondarily, political. That appointment had reversed this order. The Lord Chancellor had become more of a politician than a Judge. That great lawyer and statesman, Sir Samuel Romilly, declared in that debate, that after a few successions of Vice-chancellors there would be no more men found to discharge the high office of Lord Chancellor in the manner it had hitherto been discharged by so many illustrious men. The country would never again see such men as Somers, Camden, and Hardwicke. In this too, he coincided. In former times it was not the custom of Lord Chancellors to attend Cabinet Councils; and the introduction of that custom had done much to obstruct and delay the despatch of business in the Court of Chancery. It was recorded of Lord Hardwicke, that he used to send an answer, when summoned to the Cabinet, that he could not attend, being engaged in the discharge of his high judicial duties. Every one acquainted with the Court of Chancery must be aware how often the present Lord Chancellor stopped the business of his Court by saying that he was obliged to go elsewhere. At the early period of his appointment, Lord Eldon seldom attended Cabinet Councils—Lord Eldon whose equal as an Equity Judge he never expected to see again, betrayed no tendency to that indecision for which he afterwards became so remarkable, until the administration of Mr. Perceval, when his attendance at Cabinet Councils became frequent. It was then that he first began to talk of carrying papers home, and of deciding on a case at a more convenient season, which season never came. The reason of this was obvious: his mind was occupied with other subjects. He gave up his attention to politics, and therefore could not employ it in determining with expedition the complicated questions in his Court. It would be most beneficial to the country if the attention of a Lord Chancellor were more directed to judicial duties than to those of the Cabinet. If the Lord Chancellor was never to attend Cabinet Councils but when cases of international law, or the internal administration of justice were to be debated, the duties of his own Court would be more efficiently discharged. But those high and important duties were now frequently suspended by the Lord Chancellor being engaged in Downing-street to consider our foreign relations. Upon the whole, knowing that the conviction of the profession was, that a new Judge in Equity was unnecessary, he wished to bring the testimony of that profession to the consideration of the House, and, consequently, he should give his vote for the Motion of the member for Plympton.

Mr. *R. Grant* proposed, when so many other Members were anxious to deliver their opinions, that the further debate should be adjourned.

Mr. *Brougham* concurred in this suggestion, and added, that the debate would have been just as near its conclusion, if his suggestion earlier in the evening had been attended to. The discussion hitherto had been of such a dry nature as to make him quite long for a little beer. The Beer Bill might have been fixed for to-night but for this question.

Mr. *M. A. Taylor* hoped that some early and convenient day would be appointed for renewing the subject.

Sir *R. Peel* said, that every body, he would venture to say, expected that the discussion would have come on to-night at an early hour. Who could have expected that the early part of the evening would have been occupied as it had been? In discussing the question concerning the Real Property of the Jews,—a case of a parish vestry,—and a motion for papers respecting New South Wales, a motion, be it remembered, that was not resisted,—they had spent the whole of the evening. In those three subjects might be included all their business of that day. If Gentlemen would make lengthy speeches upon subjects which did not call for them, and if they would prefer their own notices to public business, however important, the same state of things must continue, and the House would go on in the same course day after day. He really did not know what day to fix for the adjourned debate on this question, unless they took Wednesday, [*cries of* "*No, No,*"] which he was reluctant to do, but he saw no alternative.

Mr. *Brougham* objected to that day for obvious reasons, which it might be irregular to state.

Further debate on Tuesday.

HOUSE OF LORDS.

Friday, June 18.

MINUTES.] The Militia Ballot Suspension Bill read a third time.

Petitions presented. By the Bishop of CHESTER, from the Salford Temperance Society, against selling Spirituous Liquors on the Sabbath. By the Bishop of LICHFIELD, from Sir R. Wilmot and others, for an Alteration in the Law respecting Charitable Estates. By Lord CALTHORPE, for the Abolition of Negro Slavery, from Salisbury; and from the three denominations of Protestant Dissenters within twelve miles of London. Against the increase of Taxation in Ireland, from the Freeholders of the County of Meath, and from Cove, in Cork, by the Earl of DARNLEY:—From Inistioge and Roer, by Viscount CLIFDEN. For the Abolition of the Punishment of Death for Forgery, from Ashford, Kent, by the Duke of RICHMOND:—From Darlington, by the Marquis of LONDONDERRY:—From Chester, by the Bishop of CHESTER:—From Protestant Dissenters of Worcester, and from Moretonhampstead, in Devonshire, by Lord DURHAM:—From Staines and Poole, by Viscount CLIFDEN:—From Honiton, Devon; from Chapels at Bristol and Exeter; and from Wellington, Somersetshire, by Lord HOLLAND:—From Spalding, by Lord CARRINGTON.

HICKSON'S MARRIAGE ANNULLING BILL.] After Miss Hickson, the principal person interested, had been examined,

Lord *Holland* requested, that the 26th clause of the Marriage Act might be read. This clause enacted, that in disputes respecting the validity of a marriage, no evidence should be received respecting the actual residence of the parties at the time of the publication of the banns. The noble Lord said, that among the thousand other difficulties which their Lordships would have to contend with in this case, they must do that which they had forbidden courts of law to do. The more he considered this case, the more the difficulties of it pressed upon it; and he did implore their Lordships to take time to consider whether there was a fair probability that this Bill would pass into a law. If there was not that fair probability, it would be only manly in their Lordships, and merciful towards the parties, to stop the investigation at once. If the Bill should not pass into a law, in what a situation would they have placed the witness who had just left the bar?

The Earl of *Malmesbury* said, he felt so strongly the propriety of what had fallen from the noble Baron, that he was very much inclined to move an adjournment, in order that every noble Lord might have time to give this case his most serious consideration. [*Cries of "Move, move."*] He begged to move that the further consideration of this Bill be adjourned.

The Bishop of *London* said, that the evidence he had just heard had raised one objection in his mind—namely, whether the parents of Miss Hickson had used the watchfulness and diligence which might fairly be expected from them. At the same time, as Mr. Buxton was then undergoing the sentence of the law for conspiracy in bringing about the marriage, the case seemed to him one which called for their Lordships' interference. Whether that, however, were the case or not, it was for their Lordships to determine.

Motion carried.

HOUSE OF COMMONS,

Friday, June 18.

MINUTES.] Returns ordered. On the Motion of Mr. JEPHSON, the number of Steam Vessels employed in the communication between England and Ireland, with the number of Passengers, Carriages, and Horses they carried backwards and forwards; stating the longest and shortest Voyages, from the year 1826:—On the Motion of Lord KILLEEN, the Tolls collected at all the Towns of Ireland:—On the Motion of Mr. R. GORDON, the expenses incurred during the last twenty-five years by appointing Commissioners to settle disputes relative to the Boundaries of Forests.

Petitions presented. For holding Assizes at Wakefield, by Mr. MARSHALL, from Horbury. Against Increase of Duties on Spirits and Stamps (Ireland) by Lord BINGHAM, from the Freeholders of Mayo, and the Inhabitants of Kilcomen and Robin:—By Mr. LAMB, from Dungarvon and Abbeyside:—By Mr. G. MOORE, from the Members of certain Charitable Institutions, Dublin:—By Mr. BROWNLOW, from the Silversmiths of Armagh:—By Sir E. DEERING, from Wexford:—By Mr. O'CONNELL, from Inistioge, and the parish of Holy Trinity, Waterford. By Mr. SPRING RICE, from the Inhabitants of Killenaule, in favour of the Court of Session Bill:—By Mr. A. CAMPBELL, from the Practitioners in Kincardineshire, against it:—By Sir JAMES GRAHAM, from the Procurators of the Admiralty Courts, Scotland. In favour of the Northern Roads Bill, by Mr. A. CAMPBELL, from the Magistrates of Glasgow:—By Sir G. CLERK, from the Merchant Company of Edinburgh. Against Abolishing the Welsh Judicature, by Mr. JONES, from the Welshmen residing in and near London. Against Oath-taking, by Mr. WILLIAM SMITH, from certain Christian people of Belfast, Londonderry, and Armagh. Against the Pauper (Scotch and Irish) Removal Bill, by Mr. FYLER, from the Overseers of St. Michael and the Holy Trinity, Coventry.

COURT OF SESSION (SCOTLAND) BILL.] On the Motion that this Bill be re-committed,

Mr. *Cutlar Ferguson* wished to take the opportunity, before the Speaker left the Chair, to express his satisfaction that nothing was to be done to alter the laws of Scotland. He eulogised the Court of Session, and stated that it was with regret he consented even to make an alteration in the establishment of that Court. The hon. Member entered into a history of that Court, and of the various alterations it had undergone, and of the attempts which had been made to alter it. One great alteration was effected in 1815, when the Trial by Jury to determine matters of fact was introduced in civil cases. The people, however, were not yet reconciled to that institution, and in many cases would be glad to dispense with it. Looking at their views, he wished that some endeavours might be made to meet them; and he should propose, when the two parties agreed to dispense with a jury, that the Judge should have the power to hear proof, and to give a decision, and his decision should have all the effect of a verdict by a jury. By this means he thought the parties would not be exposed to the uncertainty which sometimes belonged to the decisions of a jury. They would have the facts of their case investigated, and be certain that the law would be properly applied. He hoped that some regulation of this kind might be adopted. It was objected to the Bill also by some persons, involving as it did such important interests, that a sufficiency of time had not been allowed to make it known to those who, by their learning and station, were best able to decide on its merits. The difference of opinion which prevailed on the subject perplexed him; for though he was ready to adopt the principle of the Bill, he was compelled to hesitate when he found all the learned and practical men of Scotland against it. Both the Faculty of Advocates and the Writers to the Signet—the two great bodies of practical lawyers in Scotland—had given opinions against it. The hon. Member quoted some of these opinions. One of the objects of the Bill was, to reduce the number of Judges in the Court of Session, and against this the Writers to the Signet had delivered a decided opinion. In their judgment, a reduction in the number of Judges ought not to be made till it was proved that the present were more than enough to get through the business before them. The Lords Ordinary being at present seven in number, appeared not to be more than competent to the despatch of business. If, therefore, two of the Lords Ordinary were taken away, reducing the Judges from fifteen to thirteen, a greater burthen would be laid on the remainder than they could bear, and the business before the Lords Ordinary, which was now much in arrear, would fall still further back. At present the arrears extended over one year, and causes that were now entered would have no chance of being decided for a whole twelvemonth. Nobody could pretend that this was right, and he was sure that the learned Lord would admit that it was wrong. He wished that before anything had been done on the subject, a commission had been appointed by the Crown to inquire into the proposed improvements. A commission did sit, in 1823, and it had not considered that a reduction in the number of Lords of Session was necessary. He declared that there had not been time to consider a bill of such importance, and a few months did not suffice to enable men to ascertain what would be the consequences of a change in the Supreme Court. He should be glad were the country allowed more time to consider the measure before it was carried into effect. He did not blame the learned Lord, who, having brought in the Bill, probably felt himself compelled to carry it through; and whatever might be its result, there was not a man in the country who would doubt his great disinterestedness, and his zeal to bring this measure to a happy conclusion. The two bodies he had already referred to were also against the introduction of the Trial by Jury, so far as to compel the parties to have recourse to it, whether they liked it or not. They had met and considered the Bill, and he would state their opinions as to the separate parts of it. The Advocates generally objected to the reduction of Lords Ordinary: they were hostile toi t on account of the pressure of business at present, which, they stated, would be increased by the abolition of the Commissary Courts, and of the Admiralty Court, which would throw more business on the Supreme Court. The opinions of these gentlemen were entitled to great respect; they were engaged in the Courts, and no persons were better able to form correct opinions on the subject. The Writers to the Signet also stated the heavy arrears before the Lords Ordinary. Ought not the House to pause, then, before it agreed to a measure which was calculated both to augment the business of the Supreme Court, and diminish its means of accomplishing its duties. With respect to the Trial by Jury, both parties were against it. The Advocates said, it ought not to be compulsory. They would have causes tried before the Judges when both parties agreed to that; but the Writers to the Signet went further—further than he would go—for they said, that when the parties were not agreed to have recourse to the Judge, when only one of them desired to forego the Trial by Jury, they would allow the cause to be tried by a Judge without a jury. Another point on which these bodies had given an opinion was, the unanimity of the jury. They were averse from adopting the principle of the English law—that the jury must be unanimous. He would not enter into this question, which was a metaphysical one; he would only say, that he could not understand the magical process by which shutting up twelve men who were of different opinions was to bring them all to be of the same opinion. It seemed to be better to allow a majority to decide the verdict. He was sure indeed, that the principle of unanimity would not answer in Scotland. By a late law the Jury were to be discharged at the end of twevle hours if they could not agree, and he was certain that many a Scotch Juryman would willingly undergo any sort of privation for twelve hours to carry a point, or even for twenty-four hours if it were a point in which his conscience was involved. This had been proved on a late trial, where after being shut up for twelve hours, the Jury had been discharged without coming to any decision. The parties in the case had been put to an enormous expense, and for no other purpose than to be sent before another, jury who, after putting them to as much additional expense, might be again discharged without settling their dispute. He would propose that the rule adopted in criminal should be extended to civil cases, for the Scotch had already Trial by Jury in the former, and in them a simple majority was sufficient to decide on life and liberty. Perhaps a simple majority should not be sufficient to condemn a man to punishment—perhaps the majority should be two-thirds, but it would be singular, if the English principle should be carried into practice in Scotland—that in civil cases the jury must be unanimous, while in criminal cases a simple majority would be sufficient to take away liberty and life. He hoped that a clause would be introduced, allowing a verdict to be found by a simple majority in civil causes. There was another objection to the Trial by Jury, in which both the learned bodies concurred, derived from the mode of addressing the jury. In England it was customary for the plaintiff first to address the jury, and then bring forward his witnesses, after which the defendant addressed the jury, and brought forward his witnesses; and it was a great point in the practice of the Courts, that if the defendant examined no witnesses, the plaintiff lost his right to reply. The consequence of this was, that very often material facts were left out, or the law was unexplained by the Counsel to the jury. In Scotland the practice was different. After the case was opened, and all the witnesses examined, both the Counsel had a right to address the Court. This was, in his opinion, also a better plan than the English mode. The objections he had hitherto stated were made by the two learned bodies he had alluded to. He would then state another objection of his own. The Bill proposed to reduce the number of Judges, and to transfer to the Supreme Court, in conjunction with the Sheriffs' Courts, the business of the Admiralty Court and of the Commissary Courts. To the Sheriffs' Courts, then, would be transferred much of the business of the Admiralty Courts, which embraced not only maritime cases, but mercantile contracts of all kinds. The jurisdiction of the Sheriffs' Courts would therefore be much extended, and it would be necessary to regulate and improve the mode of conducting business before them. He fully shared the opinion of the hon. member for Knaresborough as to the propriety of carrying justice home to every man's door, and he valued these Sheriffs' Courts highly, as effecting that object; but all the value of that institution depended on the manner in which business before them was conducted. The Judge of such Courts should, in his opinion, draw his law from the highest source—the metropolis—and should, on no account, reside in the place where he was to be the Judge. But the Judge of the Sheriffs Courts in Scotland resided on the spot. The Sheriff-depute was generally a learned lawyer; he was selected, indeed, for his learning and his talents, and he resided where he ought to reside—near the Supreme Court. But the Sheriff-depute did not try causes. By the Scotch system, all the evils of a resident Judge, without any of the advantages, were inflicted on the country. The Sheriff-substitute, who tried the causes, was not obliged to possess any one qualification; he was appointed by the Sheriff-depute, who might select any person he chose. The business before the Sheriffs' Court, ought therefore, since it was to be made so important, to be regulated and simplified, and he wished he could engraft into the Bill then under consideration the cláuse introduced into a bill last year by the hon. member for Stirlingshire, and make the whole of the proceedings before these Courts at once simple and cheap. At present in a cause of 10*l.* value, there was first, a written statement of the case, to which the defender put in a written reply, and that was followed by a du-ply. But then the Judge did not try the case. The du-ply was followed by a condescendance, and the condescendance was followed by an answer, which carried the case before the Judge. If he were not satisfied, he ordered other proceedings. A proof was taken, not, however by the Judge, but by his clerk; and then the Judge considered the matter for decision. But he might require further proof, and the lawyers were not indisposed to multiply writings till all parties became bewildered, and the Judge, when the time arrived to decide, was at a loss which way he ought to give judgment. The parties ought to be required to make each a statement, and that alone should be the basis of the judgment. He did not make these remarks with any view to individuals. He knew many Sheriffs'-substitutes, who were men of learning, honour, and integrity, in whose hands he would fearlessly trust his own cause; but he objected to the system. He would have the Sheriff-depute to be Judge, and he should try all the causes. Under the present system, too, the Sheriff-substitutes could not perform all the duties imposed on them, without having their emoluments increased. As to the reduction of the Barons of the Exchequer, to that there was no opposition, though he thought the utility of this Court, or at least the utility it might be made to produce, was overlooked. The Bill proposed to do away the Admiralty Courts, and to the consequence of that he begged leave to state an objection. By the transfer of business from these

Courts to the Court of Session the expense of law suits, of such suits as were now tried by the Admiralty Courts would be increased, he believed, four times; and the delay would be four times as great. This was, in his view, a very serious objection, as the great object of the improvements ought to be, to make justice cheap, not dear. Then there was the Commissary Court, which decided or settled all questions of marriage and divorce, of legitimacy or illegitimacy. The four Judges, of which this Court consisted, though they did not all sit together, but in succession, had given satisfaction to the people of Scotland for upwards of 300 years. Before them the cause was not publicly heard, and the unhappiness of families was not sounded in the public ear. There were none of those disgusting, scandalous details, three times repeated, as in England, to pollute public morality, till at length they came before that and the other House of Parliament. The expense saved by the abolition of this Court, for which two Judges would be sufficient, would not be more than 1,000*l.* and he, therefore, should wish to see these Courts continued. He should propose, however, that the Judges should be reduced to two, whose salary of 1,200*l.* would be patiently borne by the country. The Lord Advocate stated that most of the divorce cases which came before the Commissary Court were cases of collusion. Now, his inquiries led him to arrive at a very different conclusion; but supposing the fact to be as the Lord Advocate had stated, he should like to know from the noble and learned Lord, how his Bill provided a remedy? Would not that Bill add to the facilities for collusion, by leaving the hearing of evidence and reporting on that evidence, to one Commissary Judge? Besides, it would add to the expense of divorces—a highly objectionable principle. Either they should or they should not permit divorces. If they did, why should not the poor man as well as the rich be enabled to avail himself of the permission? Then with respect to the present system of Appeals, he thought no branch of the Scotch judicature demanded more reform. That system tended to lessen the respect and confidence of the people in the local tribunals, and confidence was essential to their efficiency. But even that was not its only mischievous consequence. It tended to increase the number of appeals to the House of Lords, on the chance of a successful issue, founded on the circumstance that the Lords who sat on those appeals were in general wholly unacquainted with Scotch jurisprudence. In fact, one of the greatest hardships to which Scotland was exposed, and against which the present Bill contained no provision was, the total want of knowledge of the law of Scotland on the part of those who had to decide upon Scotch cases of appeal in the last resort. He was aware himself of many cases in which the unanimous decisions of the Court of Session in Scotland were reversed by the House of Lords, to the great dissatisfaction of the people of that country. A writer in a celebrated Review, who was known to possess great practical knowledge as an Advocate, had dwelt with great force upon this subject; and for his own part he never should feel satisfied until he saw some great law officer, skilled in the law of Scotland, assisting at the adjudication of these appeals, which were to decide upon the property of the people of Scotland. The hon. Gentleman concluded with stating, that he would not then oppose the Motion for the Speaker's leaving the Chair; but, approving generally of the reform principle of the Bill, should advance his objections to some of its details in the committee.

Sir *M. S. Stewart* declared himself in favour of the Bill, because it extended the operation of Trial by Jury, a principle which, as he conceived, ought to be adopted without delay. He had received communications from all parts of the country in favour of the measure upon this account, and fully concurred himself in the importance which was attached to it. The measure did not indeed go so far as it ought. It was requisite that the form of proceedings should be abridged, that *vivâ voce* pleadings should be introduced, technicalities done away, and fees lessened. There were many improvements required by the Scotch, which this Bill did not touch, but highly approving of it as far as it went, he should, therefore, give his cordial support to the Motion of the learned Lord.

Sir *George Warrender* wished to understand distinctly whether or not this measure was to commit the House to any increase of the Judges' salaries in Scotland. The question had been already asked of the right hon. Baronet in the beginning of the Session, but no answer was given. If there were any such intention, he should deprecate it at this late period of the Session, when many members who would take an interest in the question were absent from town. He hoped the Bill would be delayed, to give all parties an opportunity of being heard upon it; indeed the petitions from Scotland all prayed that the measure might be postponed. With all the professions which had been made of economy, as connected with this Bill, he must say, that if it were intended to increase the Judges' salaries, the measure could boast of no merit on the score of saving, but would add greatly to the expenses already attending the Scotch Courts of Law. The great object of legislation in this case ought to be, to give access to the poor of Scotland to the Courts of Justice; but this Bill would have the effect rather of aggravating than of removing the difficulties which now prevented them from obtaining speedy and correct judgments.

Sir *R. Peel* said, he recollected very well the question of the hon. Baronet, and he had some recollection of having replied to that question in the affirmative. At all events he had no hesitation in saying now, that it was intended to increase the salaries of the Scotch Judges, and he believed the impression of the Government, that such an increase had become necessary, was shared by a great portion of those acquainted with the subject. The great increase of business had indeed rendered it absolutely necessary; and although the hon. Baronet thought that the House had not sufficient time for the consideration of this Bill, he could assure him that it was nearly the same Bill as that of last Session, which had been postponed in deference to the opinion that some delay was necessary. He begged the hon. Baronet to understand, however, that although the salaries of the Judges were to be increased, this Bill was not a consequence of that, nor was that increase the foundation of this Bill, so that the hon. Baronet could very safely consent to support the Bill, without pledging himself to the question of the increase of salary, when it came to be proposed. He believed that much of the opposition shown to the Bill arose from the effect it would have on the interests of individuals. He regretted that individuals should suffer, but no legal reforms could be effected without in some degree trenching on existing privileges; and he could assure the hon. Baronet that the Government had abandoned a very extensive and important patronage in order to secure the objects contemplated by the Bill.

Mr. *Maxwell* supported the Bill, although he thought some of the clauses might be altered with advantage. Objections had been taken to any increase of the burthens of the country by an addition to the salaries of the Judges in these pinching times; but much as he felt this, he could not but agree with those who thought the salaries of the Scotch Judges were not large enough for the duties required of them. He could not, however, dismiss the subject without paying his humble tribute of gratitude to the Lord Advocate for his able and unwearied exertions in the cause of legal reform, and for the industry and perseverance he had displayed in bringing this Bill to its present state of perfection.

Mr. *Hume* could not allow the opportunity to pass by, without bearing his testimony to the quiet, patient, and highly-creditable manner in which the Lord Advocate, under many difficulties, had worked his way in promoting the objects of this Bill, and in bringing it to maturity. He perceived, however, that it reduced two of the Barons of the Scotch Exchequer. Now, the Secretary of State (Sir R. Peel) must have known that these two Judges were to be reduced at the time he appointed a learned gentleman (Mr. Abercrombie) to the vacant office of Lord Chief Baron; and he really thought the country had reason to complain of a waste of the public money, in thus giving away 4,000*l.* a year, at a time when it must have been known such changes were in contemplation. This proceeding required some explanation, for it seemed curiously inconsistent with the professions of the Government. In his opinion, the right hon. Gentleman should make compensation to the country for this waste of money, by reducing the number of Judges of the Exchequer to one, on the first opportunity.

Mr. *Brougham* said, he should be compelled, in a subsequent stage of the Bill, to enter at some length into an examination of a subject so important as the improvement of the administration of justice in Scotland. At the present he should merely say, that he agreed in all that had been said of the praise due to the Lord Advocate, and he thought that the Government also deserved great credit for the honest and disinterested manner in which it had consented to abandon a very considerable patronage for the sake of an improvement in the administration of the laws.

The *Lord Advocate* contended, that the hon. member for Kircudbright (Mr. Ferguson) had much over-rated the effects of some parts of the Bill. He begged, however, to say now, that he should feel obliged to any Gentleman of Scotland who would favour him with suggestions on the subject of the improvements he contemplated; and that, if they would send him their suggestions in writing, he would either adopt them, or state in writing the reasons which influenced him in rejecting them.

The House resolved itself into a committee on the Bill, the various clauses were discussed, *seriatim*, and several verbal amendments introduced.

The Clause having been agreed to for abolishing the Admiralty Court,

Sir *James Graham* pointed out the injury which would be sustained by the Procurators who had practised in that Court; and proposed a clause by which they should be allowed to practise in the Court of Session, the Ecclesiastical Court, the Sheriff's Court, &c.

The *Lord Advocate* said, he had proposed a clause to allow the Procurators of the Court of Admiralty to practise in the Court of Session, and other higher Courts, but he could not consent to allow them to practise in the Sheriff's Court and in the inferior Courts, because, by their competition, they would injure those who already practised in those Courts.

Mr. *Hume* thought, that the public ought to be considered as well as these practitioners, and recommended that competition should be promoted among them, by allowing them to practise in all the Courts.

Sir *George Clerk* said, if that recommendation were followed, the practitioners in the Admiralty Courts would ruin the practitioners in all the inferior Courts.

Mr. *Brougham* supported the clause proposed by Sir James Graham,—when the House abolished the Admiralty Court, it was only fair to allow the procurators in these Courts to follow their business wherever it might go.

Mr. *Home Drummond* had been of the same opinion as the hon. Baronet who proposed the clause, but on inquiry, was nduced to believe that his proposition would inflict a serious injury on all the Solicitors in the inferior Courts; he supported the Bill as it stood.

The Solicitor General also opposed the Amendment.

Sir *James Graham* acquiesced in the proposal of the Lord Advocate.

On the clause, giving the Sheriffs jurisdiction in maritime causes being put,

Mr. *Brougham* called the attention of the Committee to a particular part of this Bill. Generally he concurred in thinking it would effect a great improvement, and that the interests of Scotland were safe in the hands of the learned Lord. A considerable opposition, indeed, had been raised to the measure, by several public bodies in Scotland, when their interest lay in a contrary direction, and when, instead of opposing, they ought to have supported it. Having stated his general concurrence in the Bill, he wished to observe, that there was one portion of it which appeared to him objectionable: he meant the arrangements for Trial by Jury. One of the clauses provided that the Lord President, and other chiefs of Courts, should, like Judges in Westminster Hall, try all causes in their respective divisions; that in all such causes, either the Lord Chief Commissioner of the Jury Court, or one of the Judges of the Court of Session, should sit with the Judge, and assist him with advice and counsel. It did not appear, however, that this assistant Judge was to be allowed, in such instances, to exercise the functions of a Judge; and he was thus placed in an anomalous and objectionable position. It was one thing to be present, and it was another to exercise the judicial function. He wished this part of the Bill explained. The clause was this:—" And further, that for the space of three years from and after the time that such union shall take place, there shall be present, and form part of the Court, upon all occasions when either of the Lords President of the two divisions of the Court of Session shall respectively try by jury any issue arising out of a civil cause, either the Lord Chief Commissioner of the Jury Court, or one of the Judges of the Court of Session." If this assistant Judge were to sit there to give his advice, the plan was objectionable.

The *Lord Advocate* said, the words " and form part of the Court," empowered them to exercise the functions of Judges upon all such occasions.

Mr. *Brougham* agreed that these words,

"and form part of the Court," were in the clause; and, as they were explained, his objection was at an end. On looking at this clause, in the first instance, he supposed that they were only to be present to give their assistance and advice.

The *Lord Advocate* explained, that the words quoted were introduced with a view to make these Judges, to all intents and purposes, a part of the Court, and the arrangement was intended to facilitate the administration of justice.

Mr. *Brougham* found the explanation of the learned Lord quite satisfactory; and he was convinced that the knowledge and experience of those learned persons would be useful in the trial of jury causes. He was then desirous of calling the attention of the Committee to the improvements which might be effected in jury trials in Scotland. It was provided by the Bill, and very properly, that the present Chief Commissioner of the Jury Court should assist the Lord President in the trial of jury causes. That was an excellent arrangement, as from that learned person's previous acquaintance with such causes in the Jury Court, his experience would be of great assistance to the Lord President. It would, however, be very desirable and expedient to permit some members of the English Bar to practise in the Court of Session as in the Court of Exchequer in Scotland, which was a Court of English law. The present Chief Baron of that Court was an English barrister, and it would be proper, in his opinion, to open the practice of the Court of Session to a limited number of English barristers. Suppose it was opened to one English barrister of eminence, it would be very advantageous to have one in the Court previously well acquainted with Trial by Jury in the country where it is most widely practised and best understood. A long time would elapse, he was afraid, before the people in Scotland, and particularly the members of the law, would be able to understand the practice in jury trials. Under such circumstances, it appeared to him, that it would be very desirable to have the assistance in this Court of an English barrister accustomed to all the details of jury trials in the Courts of this country. He did not imagine that the members of the Scottish Bar would object to such an arrangement. Any person acquainted with the proceedings on Scotch appeals in the House of Lords, must have seen innumerable cases sent up from the Courts in Scotland, upon a question of evidence, which should never have been received in the Courts below, and which, if an English barrister were on the bench, or practising in the Court, would never have been heard of. In fact, in that case, he was sure that no question would have been raised upon such matters, and the parties would have been saved the harassing and useless expense to which they were put in bringing up unnecessary appeals to the House of Lords. By having an English barrister of eminence, knowledge, and experience in jury trials, not too firmly wedded to his own opinions, either practising in the Court, or presiding as one of the Judges, this very important and useful object would be accomplished. There was another improvement which he would mention with regard to the Sheriffs' Courts of Scotland. The Sheriff-substitute, who usually presides in those Courts, is generally a practising agent in the town in which they are held; and it is only when an appeal is made to the Sheriff-depute that a case proceeds beyond the Sheriff-substitute. His hon. friend, the member for Aberdeen, had recommended that the Sheriff-depute should be obliged to be resident; but that plan was open to obvious objections. It would be better, in his opinion, to effect improvement by raising the character and qualifications of the Sheriff-substitute, and by allowing issues to be tried by juries in those Courts. It had frequently happened, as the law at present stood, that a delay had taken place of two years, and in some instances of five years, before a cause could be finally adjudicated before this officer. In causes concerning accounts, such delays were frequent. The written pleadings from the two parties went on for a long time, and amounted to an immense mass of papers. The Sheriff-substitute had to go through them all, and in the fulness of time he gave his decision on the matter. It might then be brought, by appeal, before the Sheriff-depute, who might reverse the decision, or order it to be referred to the Court of Session; and from that Court it might finally be brought, by appeal, to the House of Lords. The parties were put to enormous expense without any necessity whatever. He proposed as the remedy for this evil, that all those long-written pleadings should be abolished, and none should be allowed not necessary for the simple statement of the case. The issue should be tried by juries, and the arguments given *vivâ voce* in the Sheriffs' Courts. There would be no innovation whatever in introducing jury trials into those Courts, but only a recurrence to the original practice in them. The learned Lord opposite was aware that many of the records which he had, from time to time, brought up from Scotland in cases of appeal, plainly show that trials by jury were formerly had in the Sheriffs' Courts in Scotland. Such was the case in 1602: Lord Kaimes having had occasion to suspect that jury trials were practised in those Courts, in civil as well as in criminal cases, went, in the prosecution of his inquiries, into the remotest parts of the country, where the old practice would be longest in wearing out, and he found in the Orkneys, that in the year 1602, as appeared by the Book of the Orkney Court, all cases were tried by jury there. His plan then would only again introduce the ancient practice, greatly, he believed, to the improvement of the administration of justice in Scotland. There was another improvement which he thought might be effected by this Bill. [The Chairman having here called Order at the bar, the learned Gentleman observed, that there were many rooms to which hon. Members might retire for the purpose of chatting and talking, without coming into the House for that purpose. He was aware that the subject of the Scotch law was dry and repulsive to some Gentlemen, but it was one the House was anxious then to discuss, and such hon. Members as did not wish to be plagued with it, had better go away, and not plague the House.] When Lord Grenville's Act was passed, the propriety of establishing an intermediate Court of Appeal in Scotland was much discussed, and then he was opposed to that measure. But the time that had elapsed since, had given him a firm persuasion that those who advocated the introduction of such a Court were right. The more consideration he had bestowed on the subject, the more he was convinced that an intermediate Court of Appeal should be established in Scotland. He should feel disposed to get rid of the first stage, or Outer-house, by introducing the Lords Ordinary into the Inner-house; and then by keeping up thirteen Judges, as the Bill proposed, dividing the business among twelve of them into three Courts, for trying all questions interesting to suitors, the country might have all the advantages possessed in Westminster Hall from the constant sitting of three jury Courts. There would then be four Courts acting concurrently, and the Court of Appeal, which he would suggest was a Court between those Courts and the House of Lords. Very few cases found their way from the Courts of King's Bench, Common Pleas, or Exchequer, to the House of Lords, because the Court of Error interposed between them; whereas the appeals from the Courts of Chancery here, and in Ireland, and from the Courts of Law in Scotland, to the House of Lords, came thick and three-fold, solely because the House of Lords was the only Appeal Court from their decisions. The establishment of such a Court would, he believed, put an end to that mass of appeal business, which overwhelmed the House of Lords from Scotland. He could not leave the subject without giving to Lord Grenville that praise which his Lordship so well deserved. His bill was the first commencement of reform on this subject, and that distinguished individual had had the rare felicity of living to see the improvements which he in the first instance boldly chalked out, after a lapse of several years, carried into effect, and that mighty reform which he had the courage first to recommend, finally and successfully established. He would only add, that if the suggestions he had thrown out were adopted, they would conduce greatly to the improvement of the administration of justice in Scotland.

The *Lord Advocate* said, that he entertained some doubts as to the improvements his learned friend had suggested. He doubted whether by opening the practice in the Scotch Courts to English barristers, the object in view would be attained; for no English barrister of eminence and experience would be disposed to quit the field of practice at the English Bar for that which Scotland could afford him. Scotch lawyers were sufficiently well acquainted with jury trials, or would soon become so, and therefore there was no necessity for such an arrangement. His learned friend suggested that juries should be brought to try issues in the Sheriffs' Courts. He had great doubts of the propriety of now adopting any arrangement of that description. In some causes of small amount, where the decision of a jury was required, his learned friend's suggestion might be useful. Another learned friend of his, however, had already directed his attention to that subject in reference to the recovery of small debts, and intended to introduce a measure on the subject next Session. He had doubts also as to the propriety of establishing a Court of Appeal. His hon. and learned friend said, that if the causes were at once decided, and at a small expense, it would be most beneficial —in that he agreed; but they must be tried before one division of the Court of Session, and therefore the subject required great consideration. Then the proposition was for a Court of Review, which would just carry back the administration of justice to the way in which causes were decided formerly, when his hon. and learned friend was acquainted with the Court of Session. Fifteen Judges met, and examined a matter without assuming much of the formality of the judicial character. His impression was, that if this proposition were adopted, it would be but another step to litigation, as a cause tried in one of the divisions would certainly be carried to the Court of Appeal, and ultimately to the House of Lords. From the character of Scotchmen, he believed that they would go through every Court, let there be ever so many. As to the appeals from the Scotch Courts to the House of Lords, whatever might be the disadvantages, there were no complaints respecting them from Scotland, the complaints were all from the Judges here. He should be sorry if the people of Scotland were to be deprived of the advantages of an appeal to the highest tribunal.

Mr. *Brougham* said, that his hon. and learned friend's explanation was candid and satisfactory, but he was mistaken as to the appeal. For instance, a cause was first tried in the Court of King's Bench; and, if the party were not satisfied, he took it to the Court of Exchequer Chamber—that is, before the other eight Judges, and there were never more than eight sitting in the Court of Error, and there, generally speaking, the cause stopped. That showed the advantage of a Court of Error in checking appeals. As to any alarm created by this proposition, which he could not think wrong, whatever might be the objections of his learned friends at the Scottish Bar, the real objection was, to having an English Judge or an English barrister interfering with the administration of Scotch law, of which he knew nothing. The danger of this interference was much dwelt upon by the Scotch lawyers; but it was extremely odd, that his friends had no objection, not to an English Judge sitting as one of fifteen, but to an Englishman sitting as lord and judge over those fifteen, reversing their decrees, and altering the law of Scotland at his pleasure. How very inconsistent was that—it made him believe that the Scotch lawyers had not so great a dislike to an English lawyer interfering with the Scotch law as with Scotch profits. If an English Judge went to Edinburgh, he would be but one to thirteen; whereas here, one English Judge ruled and lorded it over all the Scotch Judges; and mark, that this Judge might know nothing at all of any law, either English or Scotch, for the Woolsack might happen to be occupied by a person who was no lawyer at all. As to the Sheriffs' Courts, the noble and learned Lord thought it wrong to allow juries in them; but in all cases of merchant law their interference was advisable. The House had, however, nothing to do with that at present, as it formed no part of the Bill. He was glad, however, that attention had been drawn to this subject, and he hoped before long to see written pleadings abolished in the Sheriffs' Court, and Trial by jury extended to them.

Clause agreed to.

On the Clause that the jurisdiction of the Commissary Court of Edinburgh be restricted,

Mr. *Cutlar Ferguson* said, he objected to this clause thus early, because, at a future stage, he meant to propose an alteration repecting it, which it was not competent to him then to do. The opinion, both of the lawyers and of the country generally, was, that justice was never better administered than in the Consistorial Court. All causes relating to marriage and adultery, and above all to divorce, had been well decided there; and he was of opinion that it would be always better to have these cases heard in Courts where there was not the same publicity as in this country; and thus the scandal of having all the disgusting particulars thrice proclaimed, as in the Courts here, would be avoided. Causes had been as well decided in the Consistorial Court as they could be in the Court of Session, nor was there any reason why the jurisdiction should be taken away from the Court. It had existed nearly 300 years, and been administered well and honestly, nor could any sound reason be assigned for its abolition. The salaries of the four Commissaries amounted to 2,400*l.*, two of whom might be dispensed with, and then the Court might be kept up at an expense of 1,200*l.* The plan of the learned Lord combined the abuses of both systems, because it intrusted the receiving the proof to the one Commissary left, who, although he was not to decide, was to have the power by his report of really adjudicating on the main point—namely, whether or not there had been collusion between the parties. The great objection generally urged was that of collusion, and while the Bill degraded one of the Judges into a mere clerk, it gave him greater power, by enabling him to decide this point by his report. The Lord Ordinary ought to hear the causes; and one of the advantages of the Commissary Court, regulated as he proposed, would be, that one Judge would be left to take the evidence, which could be much better done than by a clerk, or one left merely in the character of a clerk. On these grounds he moved that this clause be omitted. At a future stage he should move that the Commissary Court of Edinburgh be at liberty to take cognizance of all causes as hitherto, it being understood that as vacancies occur by death, or otherwise, the number of Commissaries in future shall not exceed two, and he should add a clause, to the effect, that no causes should be further carried to the Court of Session by advocation, but by appeal. He knew that a great objection existed to the manner in which these causes were removed. There was at present an appeal from the Consistorial Court to the Lord Ordinary, and then to the Court of Session. He should propose that there should be only one appeal; and this would be effected by not allowing causes any longer to be removed by advocation.

The *Lord Advocate* said, that this clause had drawn more attention and been the subject of more communications to him, than all the other provisions of the Bill. From all quarters applications had been made to him respecting it; but after looking and examining into the whole subject attentively he saw no reason for the complaints that were made. The question had been more warmly discussed than necessary, and a deputation from the parties practising in the Court had called on the Members to take their case into consideration. The provision for the abolition of the intermediate Court he considered a wise one; for causes would be carried to the Court of Session, of course, and that Court being supreme, and the Judges at least as capable of deciding correctly as any other, it was right that parties should have this advantage of going before them at once. The great objection urged to the change was the increase of expense. The House, however, had been misled upon that point; for he was reported to have said that whereas in the Consistorial Court a cause could be tried for 15*l.*, it would cost 60*l.* in the Court of Session. Now, what he really said was this, and he said it on the authority of a practitioner of the highest respectability, that instead of the expense being 60*l.* in the Court of Session, the expense of a cause decided there came to 23*l.* 19*s.* 11*d.* The arrangement now proposed was, that the case should in the first instance, go before the Lord Ordinary, and that would do away with the publicity protested against by the hon. member for Kircudbright. There would not be one word printed then more than at present. As to the expense, instead of being increased, it would be materially diminished. He had made inquiries as to the expense of certain cases in the Consistorial Court when the costs had been taxed, and he found that one came to 15*l.* 13*s.*, another to 16*l.* and another to 26*l.* These he put into the hands of other gentlemen, and asked what the expense would have been if the causes had been tried in the Court of Session. On examining all the items of the account, the report was, that the cause which cost 15*l.* 13*s.* in the Consistorial Court would, if tried in the Court of Session, have amounted to 19*l.* 2*s.* 7*d.* He held that document in his hand, and it went to show that the difference of expense between the Commissary Court and the Court of Session, even according to the present system, would be from 4*l.* to 5*l.* only. This document was signed by gentlemen of the highest eminence in their profession: and there could be no better evidence as to the expense in these two Courts up to this period. But even the objection to this small increase had no foundation, for the Bill provided that no higher fee was to be demanded than in the Commissary Court, and that nothing was to be paid to the fund of the Court of Session greater than what would have been due to the clerk of the Commissary

Court; and this was not to be payable until a decree should have been made and an extract of it required. Formerly, the concurrence of the public prosecutor was necessary, but that was obviated by the present Bill, so that the fee of 1*l.* 4*s.* for that concurrence was abolished. After looking at the subject in every one of its bearings, he could state, with the most perfect confidence, that the expense of the Court of Session would not be sixpence greater than in the Commissary Court. The Court of Session, moreover, had the benefit of a poor-law; for if a party be poor and produce a certificate to that effect, Counsel and Agents are assigned him. No Court in Scotland was attended with more expense than the Commissary Court, because a man was not only obliged to employ a writer and Counsel in that Court, but he must also have an agent in the country. It ought to be known, that in Scotland every gentleman had an agent; and, as an hon. Member once said, when Gentlemen were complaining of their expenses, "Yes, persons may talk of their expenses in England for horses and hounds, but they are nothing at all to what we incur, for in Scotland every man keeps a writer." He held a statement in his hand from a Gentleman, of the expense of a trial in the Commissary Court, and that would at once shew the facts of the case. It was as follows: Agent in Edinburgh, 298*l.*, expenses of the Court, 270*l.* agents in the country, 802*l.* making in the whole 1,370*l.* payable to three agents. The objection to the alteration on the score of expense arose therefore in mistake. In doing away with the Commissary Court, and the system of appeals, objections were made on account of the Lords Ordinary; but he wished to shew the House how much of their time was likely to be occupied, which might be judged of by the number of causes tried before the Commissary Court. In 1827, there were twenty two cases; in 1828, twenty-five; and in 1829, thirty; and of these there were opposed in the first year nine, in the second ten; and in the third thirteen. Out of forty-eight causes thirty-nine were decided in absence, and this fact alone shewed the collusion between the parties, which was one of the matters complained of, and for which the opponents of this Bill say the Court of Session will afford no cure. All the gentlemen concerned in the Commissary Court were friends of his, and he was far from wishing to say any thing to hurt anybody's feelings, but he would not do any of the opponents of this measure the injustice of supposing that they did not consider Lord Fullarton, or Lord Moncrieff, as capable of judging on a question of divorce or legitimacy, as the Commissaries; and if he had such a case he certainly should prefer the Lords of the Court of Session to the Commissaries.

Mr. *Brougham* said, that if it could be proved that the proposed alteration would open a direct and cheap road to justice, instead of an expensive and circuitous one, he would most undoubtedly support the change. The law of divorce should be equally accessible to the poor and the rich. It had been contended by some hon. Members, that the change proposed by this clause would render justice dearer than it was before; but that was now contradicted by the statement of his hon. and learned friend, who had, at least, made out a case to shew that the difference in the expense would be very trifling, and even that was likely to be diminished. Another objection had been raised to the clause, on the ground that it entailed upon the learned individuals who had hitherto presided in the Commissary Courts, a species of duty which would be derogatory to them. This was a point well worthy the attention of his hon. and learned friend. If we were to shut up any one of our Courts; suppose, for instance, Doctors' Commons, a thing not to be mentioned without horror, there would be such a rebellion among the Proctors about Paul's Chain and Saint Paul's Church-yard, as would very soon convince the House that it must make some compensation for the ruin it had entailed upon so many individuals. So it would be in the present case: if the Commissaries Court in Scotland be done away with, a great many most respectable men must suffer considerably, because their practice would be taken from them. If the House proceeded to make the proposed change, it must, from a sense of justice, make some compensation to those who suffered by it.

Clause agreed to, as were the other clauses of the Bill.

The House resumed; the Report to be received on Monday.

ADMINISTRATION OF JUSTICE BILL.] The Attorney General moved that this Bill be re-committed.

Mr. *Jones* said, he should oppose this Bill so far as its introduction into Wales, and the restriction of the Local Courts of that Principality were concerned. In the first place he objected to the proposed addition to the number of the Judges. The supporters of the Bill were not agreed among themselves upon that point, for the Attorney General said, that as the number of Welsh Judges was to be reduced, that of the English Judges ought to be increased; while the right hon. Secretary for the Home Department put the argument the other way, and said, that as there was to be an addition to the number of English Judges, who could perform the business of the Welsh Circuits, the number of the Welsh Judges might be diminished. Even with reference to England, before three new Judges were added to the number already existing, while there was one Court almost without business, a very strong case ought to be made out to justify their appointment. He objected to the Bill that it was decidedly against the wishes of the inhabitants of the Principality; but he was sorry to find, that notwithstanding their opposition, as they only formed a very small proportion of the population of England, they were to have it actually forced upon them. He did not think that they ought to be thus treated. He objected most decidedly to the clause which provided for the consolidation of the counties by the order of the King, assisted by the advice of his Privy Council. It gave an unconstitutional power to the Executive Government, and he was astonished that such a clause should have come from men professing liberal whig principles. In this respect the Bill copied the provisions of an Act of Henry 8th, and the part copied was the most objectionable part of the Statute. In commenting upon that Statute, Lord Coke said, that the power given by that clause was a most monstrous power. But bad as that clause was, it was not so bad as the clause in the present Bill; for in the Statute of Henry 8th, the power was confined to the then reigning Monarch, and the word "Successors" was omitted; but in the Bill now before the House that word was introduced, and its introduction extended a power which he was disposed to look upon with much jealousy, and which ought, if granted at all, to have been limited to the life of the Monarch on whom it was conferred. He did not believe that the present Ministry would abuse the power thus conferred on them; but he could not so well answer for the intentions and conduct of any future Ministry, who might use it most vexatiously, provided it would tend to increase the extent of their power and influence. He would suppose that Caermarthen, or any other town, sent a Representative to Parliament, and that in the discharge of what he conceived to be his duty, that Representative gave offence to the Ministry; they might revenge themselves by taking away the Assizes from the town he represented, and appoint them to be held at another town at some distance from it; and this they might do under pretence of the necessity for consolidating the counties for the better administration of justice. But there were other objections to the Bill, arising from the evils that must follow the introduction of the present system of administration of justice into Wales. The hon. and learned member for Knaresborough had shewn, that by the law, as it now stood in England, it was not worth the while of any man to sue another for a less sum than 50*l.*, and he justly complained of that as a great evil. In Wales, on the contrary, people had very rarely to sue for a sum so large as 50*l.*, and they could safely bring an action for a much less sum, for their costs would hardly amount to more than 1*l.*, a system which, in his opinion, was one of cheap and speedy justice. Then the hon. member for Knaresborough said, that one of the evils of the present system in England was, that it occasioned great expense in the conveyance of the witnesses to a distant Assize-town, and their maintenance there. The complaint was well founded; yet that very evil would be occasioned to the Welsh, if the object of the right hon. Gentleman, in the consolidation of counties, was to be carried into effect, for the counties could not be consolidated without the assize town being removed to a greater distance than at present from the borders of the county. Another evil would ensue from introducing the use of the English system of pleading. At present sham pleas were unknown in the Welsh Courts; for, as the pleadings were framed under the eyes of the two Judges of the Court, they took care to admit no sham plea; and if any attempt was made to introduce one, they stopped it at once, by requiring that it should be verified on oath. He contended, therefore, that, in every respect, the Welsh system of the administration of justice would be rather deteriorated than improved by the operation of this Bill. Besides this, the Welsh were satisfied with the present system of judicature; and in proof of that assertion he might mention, that the number of Welsh causes tried in English counties had been annually diminishing in each of the last ten years, and that in the last year, only twenty-two Welsh causes (including those of Chester) were tried in the English Assize-courts. The objections to subjecting the Welsh to the English equitable jurisdiction were greater than those which applied to their being put under the jurisdiction of the common law Courts. If a Welsh farmer was made the legatee of a sum of 20*l*., was he to be subjected to the necessity of instituting a suit in Chancery for the recovery of his legacy? He trusted that no such evil might be inflicted on them. The present plan would send the Welsh from tribunals which confessedly worked well, to others which, by universal consent, required much amendment. He hoped that Ministers, therefore, would pause before they changed the system, in order to ascertain more completely the wishes of the people of the Principality. If it were an argument in favour of the Bill, that the counties of Wales were so small that they ought to be consolidated, that argument would apply equally to at least six counties of England, the population of which was smaller than that of any county in Wales. He maintained, that although in Glamorganshire there might perhaps be a divided sentiment, yet that in the other counties the opinion was almost universal against the change. The people of Wales were most faithful, loyal, and peaceable subjects, and deserved every degree of consideration; for when other parts of the kingdom were disturbed, they preserved most commendable tranquillity. It was much easier to destroy venerable institutions than to substitute others that would work equally well. Conceiving that the sentiments of such a people ought to be the guide of their legislators, he should move that the Bill be re-committed on that day six months.

Mr. *D. W. Harvey*, in rising to second the Amendment, said, he was always ready to support any measures of practical reform, come from whatever quarter they might, whether from the Government or not; but his chief objection to this Bill was, that it went to create three more Judges. In his opinion they proceeded much too rapidly with this question. The House ought to bear in mind that there was now pending before the House a bill, which had been brought in by the hon. and learned member for Knaresborough, (Mr. Brougham) and the object of which was, to establish Local Courts in various parts of the country, appointing, at the same time, not less than fifty new Judges. He (Mr. Harvey) understood that this measure had the sanction of the law-officers of the Crown, and if it should pass into a law, where, he would ask, was the necessity for new Judges in Wales? Looking at the nature and extent of the public business that devolved on all the Courts, he found that the Court of King's Bench was invariably crowded to excess; the proportion in the Common Pleas was by no means so heavy; but in the Court of Exchequer little or nothing was done, comparatively, and no sufficient reason could be assigned for its not taking a fair and due share of the public business. The fact, however, was notorious, that the four Barons who presided as Judges in the Court of Exchequer were generally looked upon as little else than legal Benchers. They had nothing to do. This he could prove, by a return laid before the House, from which it appeared, that the number of cases tried in the Court of King's Bench, between 1823 and 1827, was 11,487; during the same period, the number tried in the Common Pleas was 3,479 (being only one in three, as compared with the Court of King's Bench). But how stood the case with respect to the Court of Exchequer? Why, from 1823 to 1827, only 1,017 causes were tried. When this was the case, he would say, that before they created new Judges, they ought to take care that those who were at present in being, had sufficient to occupy their time. He conceived, therefore, that measures should be taken to throw into the Court of Exchequer as large a share of business as now went to the King's Bench and Common Pleas. He was quite sure that this object would be effected in the course of a year, if they placed at the head of the Court of Exchequer men equally able as those who presided in the Court of King's Bench and the Court of Common Pleas. The Court of Exchequer was now regarded by the public only as a retreat for persons of known incompetency, or who were paralyzed by age. He did not, however, mean to say that the learned persons who presided there might not be as well qualified to discharge the duties of the judicial office as the other Judges; he admitted that they were, and therefore it was, that he desired to see them much more actively employed than at present. It appeared to him that it ought to be made compulsory on suitors to carry their causes into the Court of Exchequer, and an officer appointed for the purpose might select the issues to be tried between the parties. He now held in his hand one of the most extraordinary documents that had ever been laid before Parliament, and the facts which it disclosed were such as to call for the earnest attention of the House. It was an account of the number of *posteas*, or return of the causes tried in the Court of King's Bench for three years —namely, 1826, 1827, and 1828. In this period the number of causes disposed of, and on which verdicts had been returned, was 5,655. But what did the House think was the amount of the damages upon these causes on which verdicts had been so found? Why, not more than 836,343*l.*; making an average of not much more than 150*l.* upon the whole, to each individual plaintiff. The party, however, did not receive anything like that sum, and, in many cases, he got little or nothing, after the costs were paid. The House could scarcely believe the fact; but it was not to be disputed; for there was proof of it, in black and white, that the taxed costs upon the causes he had just enumerated amounted to the enormous sum of 1,205,000*l.* When he took off twenty-five per cent from the Attorney's bill in every cause, it would be perceived that he was not disposed to be too sparing of the profession; but with this twenty-five per cent added to the sum now stated, the amount would be 1,500,000*l.*, forming a balance of nearly 700,000*l.*, which parties must have lost in endeavouring to recover a right by means of Courts to maintain which they paid yearly a very large sum. No public advantage could be derived from the species of reform proposed by this Bill; on the contrary, the only effect of it would be, to throw additional patronage into the hands of the Crown. He did not mean to say that the present Government was more tenacious of patronage than any other; but there was a natural tendency in all governments to secure it. His Majesty's Ministers had not abandoned the system which had hitherto existed in Wales, till they found, by the voice of Parliament, loudly expressed, that it could no longer be maintained. But to return to his principal objection against the Bill, he must repeat that it was premature. If the Local Courts were established there would be a great diminution of business at the Assizes. Why, then, should there be an increase in the number of Judges? He would take thirty causes tried at the Assizes, and he would venture to say, that the sum litigated did not, on the average, amount to more than 30*l.* Now he was quite convinced that, if Local Courts were appointed, the Judges on Circuit, instead of thirty civil causes, would scarcely have ten to try at any given Assizes. But they were told that, if new Judges were not appointed, they would be giving additional trouble and labour to those who were employed at present. In answer to that he would say, "equalize your Circuits." The Home Circuit was 226 miles, the Midland 355 miles, the Norfolk 300 miles, the Oxford 400 miles, the Northern 652 miles, and the Western 500 miles, being an average of 406 miles. Now he could see no difficulty in extending the Home, the Midland, and the Norfolk Circuits, and contracting the others; so that there was no weight in that particular objection. He would again say, that if it were intended to carry the bill introduced by the hon. member for Knaresborough, and to appoint a number of Local Courts, it was quite unnecessary to "permanize" three additional Judges in Westminster-hall.

Mr. *M. A. Taylor* had never heard the question of the Welsh Judicature agitated by competent authorities without objections being taken to the system. Perhaps it might be necessary to introduce some alterations in the present Bill, in order to give general satisfaction: but, on the whole, he approved of the principle of the measure, as well as of the greater part, if not the entire, of its details. With respect to the observations of the hon. Member, who insinuated that the Judges in two of our Courts appeared to have comparatively little or nothing to do, he entirely dissented from it, and was of opinion that the twelve Judges had that to do which but few men could adequately perform. The hon. Member looked only at what the Judges did in Court, but he should recollect their other duties, and not overlook their constant attendance at the Old Bailey. The hon. Gentleman proceeded to eulogise the character of the Judges, whom he described as persons that did honour to the situations which they filled with so much advantage to the community. There might be amongst them some who had reached an advanced period of life, but were there not also some young Judges, who had been recently appointed, and who would do honour to any appointment; who showed their fitness for their office by the anxiety and the competency with which they discharged its high functions? He did not consider the additional number of Judges too great, when the increase of legal proceedings, and the extended duties assigned them, were taken into account. There were in former times five Judges in each Court. He did not deny that at present there was not so much business transacted in the Exchequer as in either of the other Courts; but this depended upon circumstances that were capable of alteration, and it was now intended to make it equally efficient with the King's Bench and Common Pleas, by the appointment of a new Judge, and the adoption of an improved system. What improper selection of Judges had the Crown made, that any body should suppose Government capable of selecting the three new Judges improperly? According to the plan now proposed, Government would have less patronage than before. If he were a Minister, and desirous of patronage, he should prefer having the appointment of the Welsh Judges, eight in number, to that of three new Judges. He should support the Bill, because he thought that it was desirable to bring the Welsh counties under the English jurisdiction, and assimilate the administration of justice throughout the land.

Mr. *Edward Davenport* said, that he must enter his protest against the wrong which was proposed to be done to the County Palatine of Chester. The Bill said, that it was expedient to put an end to the separate jurisdiction of the county of Chester. Now that declaration was unsupported by any proof; it was contradictory to some of the clauses of the Bill itself; and it was contrary to fact, if any reliance were to be placed upon the numerous petitions which had come from the county of Chester and elsewhere on the subject. So far were the privileges which this county had heretofore enjoyed from being detrimental to the neighbourhood, that there were petitions from Liverpool, from Manchester, and from Warrington—three of the most important towns in that quarter—stating that the system was attended with great benefit to them. The regulations which had been made by legislators, he must say of a very different stamp from those of modern days, had lasted for eight centuries, without any complaints such as were now brought forward. He could not tell whether the three new Judges were necessary or not; and therefore he should vote for the Amendment. The Bill gave the Attorney General the power of sticking his compasses into the map, and dividing the counties into new *arrondissements*, which had nothing to recommend them but their geographical proportions. Again, juries were to be struck, half English and half Welsh, who would not be able to understand each other more than if they spoke foreign languages. It appeared that the indemnifications occasioned by this Bill would cost the country 100,000*l.* a year, which, in these times of difficulty, certainly ought not to be thought of. Another detriment which would be inflicted upon the county of Chester was, that landed property would be subjected to frauds from the persons who tenanted it, for, by the local jurisdiction, a man was enabled to bring his tenant to action if he did not go out by the 2nd of February. This Bill withdrew that power, and the tenant would have until Michaelmas Term to gather his summer crops, and might then go off with the year's rent. But the Attorney General said there would be a remedy at law. The lucky tenant would be in America before the landlord would be able to take the necessary steps to avail himself of that redress, so that, in fact, it was no redress at all. The Bill also proposed to do away with the Chester Court of Equity, in spite of a declaration of the Commissioners that they had forborne to inquire into that subject at all. Every person seeking to recover a claim above 40*s.* would be compelled to come up to Westminster-hall, where he might ruin himself if he pleased, and where the expenses were at least four or five times as great as in the County Courts. He could not be condemned for voting against the Bill, as no man could be expected to support a self-destroying principle. If the hon. and learned Gentleman opposite were to introduce a measure for a reform of Parliament, and to provide that no lawyers should have seats in that House, he rather thought that the hon. member for Knaresborough might not like it.

Mr. *Brougham* said, that there were many occasions on which he should have no objection to the exclusion of lawyers.

Sir *R. Peel* objected to the course taken by hon. Members, who, in opposing the committee upon the Bill, had anticipated the discussion proper to a committee, and, instead of combatting the principle, contented themselves with criticising the details of the Bill. He should not imitate this example, but address the observations he had to make to the object or principle of the measure. After repeated complaints of the delays that occurred in legal proceedings, and the consequent hindrance of justice, a commission was appointed, at the unanimous desire of the House, to investigate the whole question of the proceedings in our Courts of Common Law, and submit to the Crown and Parliament remedies for so striking an evil. Now that the inquiry had been instituted, and the report had been made, they were asked to begin the inquiry over again, and by persons who, he would venture to say, had never read the report at all. This, however, was the constant course now pursued: for inquiry they had clamour; and when the time for inquiry had gone by, then fresh inquiry was called for. He would, however, ask hon. Gentlemen, before they decided against the principle of this Bill, to advert a little to the facts of the case. The first inquiry of the commission was with respect to the Courts of Common Law; and, with reference to the Court of King's Bench alone, it appeared that there had, within five years, been begun in that Court no less than 281,000 causes. In the year 1823, the number was 43,000; in 1826 it was 69,000; and in 1827 it was 66,000. The Commissioners pursued this calculation further, and the conclusion to which they came was, that the Court of King's Bench was immoderately over-burthened with business; that the Judges exerted themselves with great activity; but that, notwithstanding, the arrear of Term business and Nisi Prius causes was extremely oppressive: that the Court of Common Pleas was also very busy; that there was no arrear of Term business, but a considerable arrear of Nisi Prius business. The Commissioners doubted the policy of adding to the labour of the Judges, and of occupying every moment of their time, without allowing them any leisure for recreation, or even for the pursuit of those branches of learning which were connected with their functions. They proposed, therefore, that the business in all the Courts should be equalized, and, for that purpose, that another Judge should be added to each Court. That was the main proposal which the report suggested, and which the Bill was to carry into effect. There were others, into which he did not think it necessary to enter at present. If it were admitted that three new Judges were necessary, then arose the question, whether the time of those three Judges would be entirely and exclusively occupied by the business so assigned to them, or whether it would not be possible that a portion of their time might be employed in the business which now devolved upon eight Judges in Wales? The Commissioners had come to the conclusion that it was possible so to employ them, and that led to the question, whether it was not desirable, by that means, to save the expense of the eight Judges who now performed the duties? His Majesty's Ministers had come to the conclusion, that if three new Judges were to be appointed in the first place, they could not ask Parliament to retain eight unnecessary persons in office; and, next, he thought that they would be able to show that justice would be better administered by Judges of the highest character, belonging to the superior Courts, than it would be administered, without meaning any disparagement to the present Judges, and entertaining, as he did, the highest respect for them, by those who might hold their offices with a seat in Parliament, and who, from the narrowness of their salaries, were necessarily practising barristers. But then Ministers were met with this objection, "You must not make this alteration because the people of Wales (a brave and gallant people, as his hon. and learned friend designated them, and truly)—the people of Wales are adverse to it;" and his hon. and learned friend went so far as to deny the right of Parliament to take away their Court of Equity. No man could speak more affectionately than he could do, with the utmost sincerity, of the Principality of Wales. He must say that he honoured the Principality; that no part of the empire had held out examples more worthy of admiration than Wales had, at various periods of difficulty as well as of success; but could he, on reading the reports, say that the measure was contrary to the will of the people of Wales? It was not either by his, or his hon. and learned friend's assertion, but by the evidence, that that point must be decided. Now, who were the parties whose opinion had been taken by the Commissioners on the subject? The first was his hon. friend, the member for the county of Brecon, who, he was sure, if the honour or character of the Principality were at stake, would be ready to stand up in its vindication. The Chairmen of the different Quarter Sessions had also been examined, who, by their own experience, and by their intercourse with the Magistrates, were best calculated to form a judgment. They all concurred in pronouncing it desirable that the Principality of Wales should be included in the circuits of the English Judges. One of those gentlemen added, that the Attorneys were principally adverse to the change, because the fees in the Principality Courts were higher than elsewhere. After the Government had received the opinions of the Commissioners, supported by this evidence, would it have been justified in refusing to act upon the report, and ought it not to call upon Parliament for its sanction to a measure so recommended? Besides, it was a fallacy to say that the Principality had Local Courts, and that this Bill was taking them away. There would be just as many Local Courts as ever, only the justice in them would be administered by English Judges, and on the English system; it appeared to him, that there was a combination of advantages to be anticipated from this Bill. First, there was the more effectual administration of justice in England, by the addition of the new Judges; and next, the advantage of placing Wales under the same jurisdiction as England, and saving the expense of the Welsh Judges. Now, certainly, if his Majesty's Government were inclined to select improper persons to fulfil the judicial office, the Welsh judicial system would have been precisely what they would have preferred, from the necessity in which the Judges were of practising as barristers. This it was proposed to do away with altogether, as well as the patronage and local machinery connected with these Courts. He said that his Majesty's Government were not only justified in the course it had pursued, but that it would not have discharged its duty if it had acted otherwise.

Sir *C. Wetherell* said, that although leave had been given for bringing in this Bill, it was no more than giving leave to bring in a sheet of blank paper, so much was the Bill altered from its original state. He must contend, in spite of what the right hon. Secretary had said, that the people of Wales were opposed to the alteration; and he might observe by the way, that the Chairmen of Quarter Sessions had never been held to be the representatives of their counties. He did not think that it was advisable to take away a jurisdiction which the people had enjoyed for so many years, unless they took some means of knowing the popular feeling on the subject. He did not mean to say, that they ought to poll or ballot the Principality, but he should certainly be glad to know what were the sentiments of the mass. His notion was, that the Bill ought to have been brought in and passed over to the next Session. He also wanted to know what were the sentiments of the Government with respect to the Local Judicature Bill just introduced by the learned member for Knaresborough; because it would be singular enough if, while this Act was diminishing local judicature, Government should admit the principle of that bill, which was to establish local jurisdiction—thus in 1830 performing the act of demolition, and in 1831 the act of reconstruction. The House was also entirely kept in the dark as to what system of practice was to be pursued; they knew, indeed, that the Judges were to be changed, but no hint had been dropped as to what other proceedings were to mark the alteration. He would even concede that the new Judges were required; but surely the Welsh mode of pleading ought to be retained. The forms of proceeding in the Courts in Wales might still be preserved, notwithstanding the appointment of additional Judges; but the Attorney General said no. It certainly might not be convenient to hon. and learned Gentlemen to hold six, or eight, or ten Courts in one day; but the practice was exceedingly convenient to the people of Wales. Under the new arrangement to be made by the present Bill, all the law for Wales was to emanate from Westminster-hall. The whole was to come from London, instead of being had almost the moment it was required in the Principality. Thus cheap justice was exchanged for dear. He would gladly learn from the hon. and learned Gentlemen opposite how the Bill was to operate. Not one of them had as yet condescended to explain how the Bill would operate—not, he was sure, from any inability on the part of the learned Attorney General to explain his meaning whenever he might be so minded; but it must be evident to the House that he had not yet thought proper to explain the operation of the Bill, or that of any one of its clauses. He had not, up to the present moment, distinctly stated whether the rules, the forms, the Courts, the pleadings, were to be all, or in part, preserved or abolished. If there were any man in that House who knew any thing of the matter, he had not yet thought proper to explain himself, or enlighten those who happened to be in ignorance, in which number he included the greater part of those who heard him. If there were any one in that House who understood the operation of the Bill, it was greatly to be regretted that he should keep the knowledge to himself, and call upon Parliament to legislate in the dark—to legislate speculatively—to legislate injuriously. They could only understand, respecting the matter in question, that they were getting rid of that which was in existence, but they received no information as to what they were to obtain in return. As for the preamble of the Bill, it might well be likened to a sheet of white paper, for it contained no information whatsoever; and upon those grounds he thought he should best consult the interests of justice in refusing his support to the measure.

Colonel *Wood* stated, that he had conversed with every person of influence and intelligence resident in the county which he represented, and, with very few exceptions, he found every one of them, professional and otherwise, disposed to support any measure which would go to assimilate the administration of justice in England and Wales. It was the univeral opinion amongst them, that the time had arrived at which the system of the Principality should be assimilated to that of the country at large; nevertheless, he felt bound to object to the clause for uniting English counties with any of those in the Principality.

Mr. *O'Connell* objected to the principle of the Bill. If there were one point upon which the people of the United Kingdom could be said to be unanimous, it was, that law reform was necessary—that there was an absolute and crying necessity for a reform in the mode of administering justice. If it were necessary to effect a reform in Westminster-hall—and upon that there could not be a second opinion—it was also necessary that reform should be effected in Wales also; but the present Bill raised not a question of reform, but one of abolition; such a reform was wanted in the law as should make it intelligible, and should make it cheap, and should make it expeditious. Did the Bill of the hon. and learned Gentleman opposite make law either cheap, expeditious, or intelligible? It was perfectly well-known that if an Englishman wanted to learn what course he ought to pursue in any legal difficulty, he could never ascertain for himself, but that, in many instances, he must have recourse to one of the fortunate few, who, by long practice, were enabled to comprehend what was unintelligible to the mass of mankind. The laws of England might as well have been written in Sanscrit as in English for aught that an Englishman could make of them, unless he had recourse to some of the conjurors of the profession to carry him through the mazes and the difficulties by which the litigant was surrounded. Had any effort been made by the framers of the present Bill to reconcile varying and conflicting decisions, to remedy the evil of positive Statutes being repealed by Judges, or any one of the crying and intolerant abuses that had crept into our system of jurisprudence? How then could that Bill be called a Bill for the Reformation of the Law? It was a drama of reform, "leaving out the part of 'Hamlet' by particular desire." It applied itself to that which was of secondary or of no importance, and passed by in silence the only matters demanding remedy. What did it do for expedition? Nothing at all; though there was the Court of King's Bench with more business than it could get through, the Court of Common Pleas with much less than it could perform, and the Court of Exchequer with scarcely any. As it was true that the Court of King's Bench had too much business, it might, perhaps, be some advantage to it to add another Judge; but there was the Court of Common Pleas, with not more than a third of the business of the Court of King's Bench. The Court of Common Pleas tried but 3,000 causes in a year; while the King's Bench tried 11,000. Why not remedy the monopoly enjoyed by a certain class of barristers in the Court of Common Pleas. Other causes were supposed to keep the want of business at so low an ebb in that Court; but there was a third Court, and one in which no business was done—he meant the Court of Exchequer—why was not something done with that? It might be made as efficient as the Court of King's Bench for any thing that he saw to the contrary: it might be made to try 10,000 causes in a year, and the Common Pleas 8,000 above its present number, being a total of 18,000. Would there not be in that something that might tend to render justice cheap and expeditious? In Ireland the Court of Exchequer at present did the most business. Into the causes which created that difference he would not stop to inquire, but in Ireland the case was not always so. At one time the Common Pleas had the greatest amount of business: it was when fees were payable; and then, he might say, that in seventy-five out of every seventy-six cases the plaintiff succeeded. So attractive did this circumstance render the Court, that suitors flocked to it in unprecedented numbers; no sooner, however, was the system changed and fees abolished, than the current of business began to flow in an opposite channel, and the Court of Common Pleas in Ireland became sufficiently deserted. To return to the Bill under consideration. It abolished the local jurisdiction of the Courts of Wales, under which execution could be had in the short space of fifteen or twenty days, and probably, under the new arrangement, the suitor would not have execution in as many months. Hence it was evident that expedition was not gained by it, and he believed it was equally evident that cheapness was not amongst the number of its recommendations. The universal feeling throughout the country was, that the expense of legal proceedings was a monstrous evil; that the first duty of the Legislature was to remedy that evil effectually and immediately. He doubted not that he shared this sentiment with the nation at large, that not a moment was to be lost in abating such nuisance. Government abrogated its principal function when it did not apply its best energies to secure the due administration of justice. Of what importance was it to the poor man, whether his property was taken from him by ruffian violence in the streets, or his pockets picked in the legal proceedings necessary for the defence of that property? In Wales, if a poor man had a legacy bequeathed to him of 20*l.*, which to him was wealth, he had his local Court of Equity for the recovery of that legacy; that he possessed in all times past; but what was he to have for the future? The Bill before the House took away from him his local Court of Equity, and gave him nothing in return except the benefit of filing his bill in the High Court of Chancery, and the dignity of an appeal to the House of Lords. Again, in the case of verbal or written agreements for land of a particular kind, though it might be for five acres, it was still an object to a poor man; and yet from the resident in Wales the present Bill took away the remedy which he enjoyed. In Ireland he had himself five hundred, nay, five thousand times told the poor man who held agreements for land, "You have the clearest case in the world—there can be no doubt that justice and the principles of equity are with you, but you must file a bill in the Court of Chancery." Such a reply of course put an end to his hopes; and he had no difficulty in asserting that the want of a remedy in such cases led to much of the disturbances which unhappily occurred in Ireland. One of the most awful crimes committed in that country—the burning of the family of the Sheas—had its origin in the want of such a remedy as that which he described—the want of means to obtain a decree for specific execution. That Wales possessed; and the hon. and learned Gentleman sought to deprive the Principality of that advantage. It was one of the most tranquil portions of the British Empire; and if, by the proposed change, they applied to it one of the most exciting causes of discontent which afflicted the least tranquil portion of the United Kingdom, let them look to the consequences. They took from the poor man his Local Court of Equity, and then they boasted that they were reforming the law. The Bill, no doubt, would prove exceedingly convenient to the gentlemen of Westminster-hall—it would enable them at most convenient seasons to recruit their health by instalments, and pursue their favourite amusements at no distant intervals, and with no injury to their professional interests; and the Bill would also have the effect of giving more great prizes to the profession of the law; but be it remembered that it did little for the poor man, though it did much for the rich. Was he, in making those observations, to be understood as standing up in that House to advocate the existing system as it stood now in Wales? Quite the contrary; he was any thing but the advocate of a system which enabled gentlemen to exercise the functions of Judges in any part of the kingdom, and at the same time possess seats in that House; he was any thing but the advocate of a system which allowed gentlemen to give opinions upon nominal cases in their capacity of practising barristers, and next decide similar cases in the capacity of Judges. If necessary, let the number of those Judges be curtailed—let the salaries of those who remained be increased—let them devote their entire time to the discharge of their judicial duties; let all practicable and advantageous reforms be introduced, but let not the rich man be benefitted at the expense of the poor. He objected also to the Bill because the humane clause was thrown overboard—that which limited arrests on mesne process to sums above 100*l.* was thrown out, and the protection of men in humble life was swept away from them. It might happen in Wales, as in other parts of the world—he did not impute any thing in particular to that district—but it might happen in Wales, that in some rare cases wealth and malignity would be united in the same individual; he would suppose that it was a case upon a promissory note for 20*l.*, in which case it would be in the power of the plaintiff to bring the matter up to London, and, though the poorer party, the defendant, might have a most excellent defence, yet that defence might require to be supported by eight or ten witnesses; and how could a poor man bring eight or ten witnesses up to London from Wales in a cause of 20*l.*? It was a mockery to call such a system a system of impartial justice. There were other evils against which no provision had been made. One of our Courts affected to have no jurisdiction over property, but only a jurisdiction over conscience; and yet it ruled all the property and land in the country, but encumbered with enormous expense to the suitors. Another Court had, it was usually conceived, the whole of the land, and all the titles, referred to its jurisdiction; whilst, from the beginning to the end of the proceedings, the whole pleadings were a tissue of falsehood, and a living lie throughout. He must express an earnest wish to see the barrier which separated law from equity broken down; he wished to see the system of pleading, and the whole mode of proceeding so altered, that the parties would be brought together in the presence of the Judge; and he was persuaded that, in most instances, it would be found that their first appearing together before the Judge would be their last appearance in the character of litigants. Whilst reform was called for on all hands in our Courts, what, he would ask, had been done? He had expected something in the nature of a remedy for many of the evils in the constitution of these Courts, from the very sensible, and, he had almost said, seductive speech of the right hon. Baronet at the beginning of the Session. It had much of promise and much of good sense in it; and had the right hon. Baronet had the legal knowledge which the effort to introduce the reform, of which he then gave the outline, required, and not been obliged to rely for the species of information necessary to complete his object, upon others, who had only misled him, it would not have remained for an humble individual like himself to have thrown out observations of the nature which he had felt it his duty to make on this occasion. He could never consider that a beneficial reform was accomplished in our present system of judicature by the appointment of another Judge in the Courts at Westminster-hall, accompanied by the abolition of those local jurisdictions which might be said, at least comparatively, to bring cheap justice home to the doors of the suitors in those parts of the country.

Mr. *Wilbraham* supported the Motion. He should like to see all the recommendations of the Commissioners carried into effect; and as he could not have the whole of them, he was willing to give his support to all which he could obtain.

The *Attorney General* said, that the observations of the hon. and learned member for Clare took too wide a range, and were altogether too general and theoretical for him to offer to the House anything like a specific reply. Nothing was more easy than to pour forth a given quantity of declamation upon that or any other topic. But to come to the point; he would admit, for the sake of argument, that there was from one end of the country to the other a universal cry for the reform of abuses in the law; and supposing the hon. and learned Gentleman to agree that those abuses required reform, what was there of consistency in opposing that small and partial benefit which he found himself able to effect? The whole of the views of the hon. and learned member for Clare might be extremely well founded, but he must be allowed to say, that, up to that time at least, they were purely theoretical, and as theories he must continue to treat them until that hon. and learned Gentleman thought proper to bring in a bill himself, embodying the opinions which then and at other times he had expressed upon the subject of legal reforms. He next proceeded to reply to his hon. and learned friend, the member for Plympton. After complaining of the preambles having been likened to a sheet of white paper, he proceeded to observe that it did not appear to him that his hon. and learned friend had, on the present occasion, exercised his usual industry, or he would have been at no loss to discover the tendency and operation of the several clauses of the Bill; and when they went into committee, if the House agreed to do so, he would undertake to explain to his hon. and learned friend the operation of every one of the clauses. He next noticed the clauses that had been added to the Bill, observing that it was considered more convenient to make the enactment for the payment of the retiring Welsh Judges, and for the payment of the new Judges, part of the present measure, than to introduce a new bill for that purpose. The effect of the Bill would be, to assimilate the jurisdiction of the law in both parts of the kingdom—to make the King's writ obeyed in Wales as it was all over England; and so far as he could learn, and he had taken every pains to inform himself upon the subject, it was the universal opinion both in England and in Wales, that the time had arrived when that assimilation ought to take place. He had now nothing more to say, except that he believed there did not exist a worse system than that which prevailed in Wales. He believed it the worst system that any country ever had. Precise estimates had been formed of the comparative expenses of proceedings in Wales and England, and the difference was found to be in favour of the latter. As to the Local Court of Equity, of which so much had been said, he would affirm that the benefits it conferred were greatly overrated; it was best described as a fugitive Court never continuing in one place for more than five days; and as to its expenses, it was more expensive than the High Court of Chancery. He had not the slightest doubt that when the Bill then before them came into operation, if it should receive the assent of Parliament, that it would turn out that the people of Wales would prove more content with it than they had ever been with their former system. As to the notice so good-naturedly taken by the hon. and learned member for Clare, of the effect of the Bill upon the convenience of the profession, he should not reply to it. He had only, in conclusion, to say, that the object of this Bill was to put all the Courts upon the same footing; and if the House would but go into committee on the Bill, he felt little apprehension of not being able to satisfy it, clause by clause, that the Bill would accomplish the objects proposed; and he had no doubt that he should be able to show that those objects were in themselves beneficial.

Mr. *G. G. Morgan* declared, though he represented a place in Wales, that he should support the Motion for going into a Committee.

Sir *J. Owen* was willing to rest the question on the single issue of expense; and as to the wishes of the Principality, the tone of the petitioners was decisive on that point. The Secretary of State had assigned as one of his reasons for supporting the Bill, that more Judges were required for the improvement of the Courts in Westminster-hall, but that was not an argument which could justify the overturning of the whole system of law and equity in Wales, under which the country had been so long governed. For these reasons he should vote against the committal of the Bill.

Mr. *C. W. Wynn* expressed himself decidedly favourable not only to the principle of the Bill, but to almost all its enactments. The hon. member for Clare had said, that they ought to do more than they professed to do by the present Bill; but if he thought so, it was competent to him to make specific propositions himself, and take the sense of the House upon his own plan of reform. The Bill would, as he contended, be a great benefit to the people of Wales, who were desirous to participate in the advantages of the English law.

The House divided—For going into a Committee 129; Against it 30—Majority 99.

List of the Minority.

Attwood, M.
Bankes, H.
Bentinck, Lord G.
Clinton, E.
Davenport, Edward
Encombe, Lord
French, A.
Fyler, T.
Hughes, J.
Harvey, D. W.
Inglis, Sir R. H.
Jones, J.
Knatchbull, Sir E.
Lambert, J.
O'Connell, D.
Owen, H.
Palmer, F.
Pryse, P.
Palmer, R.
Phillipps, Sir R.
Powell, E.
Rogers, E.
Sadler, M. T.
Smith, T. A.
Tuite, H. M.
Webb, E.
Williams, P.
Williams, O.
Westenra, H. R.
White, H.

TELLERS.

Wetherell, Sir C.
Owen, Sir John

The House went into a Committee.

On the clause empowering the Judges to sit in rotation at certain periods,

Sir *C. Wetherell* re-stated some of the objections he felt to the appointment of three new Judges, and expressed a hope that the Attorney General would now put an end to the practice of giving judgment on matters in Banco, without the presence of the Chief Justice. His hon. and learned friend (the Attorney General) knew well, that up to the time of Lord Mansfield it was the invariable practice not only to require the presence of the Chief Justice, but to have the case twice argued. He did not desire that, but he hoped the old practice would be revived with reference to the Chief.

The *Attorney General*, in reply, admitted the propriety of the learned Gentleman's suggestion, and observed, that by a clause in this Bill, the Act which empowered three Puisne Judges to sit in Banco was repealed, and therefore the ancient practice would be revived as a matter of course.

Some verbal amendments were made; the Committee to sit again on Monday next.

HOUSE OF COMMONS,

Saturday, June 19.

MINUTES.] Returns ordered. On the Motion of Dr. PHILLIMORE, the applications for building Chapels, made to the Commissioners under the Church-Building Act:—The number of suits for Divorce, on account of Adultery instituted in the Ecclesiastical Courts in England and Wales, between 1822 and 1829 inclusive.

The Local Judicature Bill was read a second time, on the Motion of Mr. BROUGHAM.

REGISTRAR AT MADRAS BILL.] Mr. Addam and Mr. Sergeant Spankie were heard in behalf of the claimants, Mr. Miles O'Reilly, brother to the intestate, and others. Counsel were then ordered to withdraw.

Sir J. Mackintosh moved the second reading of this Bill.

Mr. Astell moved, that Counsel be called in, and heard against the Bill.

Counsel were accordingly called in and heard.

Sir *J. Mackintosh* then proceeded to state his reasons for supporting the claims of the petitioners. The facts, he said, had already been repeatedly before the public. The case of the petitioners was one of considerable hardship, and to their misfortune they had been no parties. Government itself had adopted a regulation, under the 39th and 40th Geo. 3rd, for vesting the property of intestates in the Registrar of Madras, which, though meant for the benefit of heirs, had, in this instance, turned out most unfortunately for the claimant, in consequence of the defalcation and insolvency of Mr. Gilbert Ricketts, the Registrar at Madras, who, it appeared, died in twenty months after the decease of Colonel O'Reilly, absorbing the whole of his property in his bankruptcy. Had the case been one of which the parties could have any redress at common law, he would not have come there to advocate the claim. But this was not a case of common-law jurisdiction; it was a case of good government, and it became the Government to reimburse those who had reposed their faith in the Government adopting the best means for protecting their interests. The Government, at the appointment of Mr. Ricketts to the office of Registrar, had neglected to take proper securities, and the Government must, therefore, be answerable for the neglect. He then proceeded to quote a number of instances to prove that an appropriation of public funds had been made, to remunerate individuals for losses sustained by compliance with Acts of Parliament. About the general question there could be no doubt; the only question was, had the Legislature the power to compel the East India Company to make good the loss? In his opinion the Legislature had that power. The territorial revenue of India was under the control of

Government; and, as a proof of this, it had, within a few years, appointed Judges and Bishops, and provided for them out of the revenue of the country. For these reasons he thought there could be no doubt that the claimants ought to be compensated, and that the compensation should come from the East India Company.

Mr. *Cutlar Ferguson* admitted the claimants right to compensation, and stated he felt for them; but, while he expressed himself in favour of their claims, he must, at the same time, deny that they had any right to look to the East India Company for redress. The territorial revenue of India ought not to be charged with making good losses which had been occasioned by Acts of Parliament. If the Legislature passed Acts which injured the private property of individuals, it was contrary to all reason, to say that the particular district where the loss was sustained ought alone to be answerable. It was out of the revenue of the whole empire, not out of that of India, that the compensation should come. He did not think the precedents quoted by the right hon. Gentleman applicable to the present case; and, though he should have no objection that the claims should be made good from the funds set apart for the administration of justice in India, he should certainly resist any proposition which went to defraud the creditors of the East India Company, who had lent their money to the Company on the faith that the territorial revenue should not be infringed.

Mr. *Brougham* observed, that there appeared to him to be a consideration preliminary to the question of merits in this case, which was that of "who were to be the judges of it?" He saw, with some surprise, that he was surrounded by East India Directors, there being no fewer than seven of these gentlemen present, who, it was understood, were to sit in judgment upon this Bill. Now, as this was a question between the Company and individuals, it occurred to him that it would be just as becoming if the Directors absented themselves from the discussion, or at all events from the division, if any such thing should occur. The Company had been already heard by two of their Counsel at the bar, and if there was before any doubt of their being interested parties, such an appearance would entirely remove it. The presence of so many of his colleagues seemed, indeed, to have made the hon. and learned Member behind him fancy that he was addressing the Court of Directors, for it would be observed that his hon. and learned friend used the term "Court" as applying to this audience. He (Mr. B.) remembered a parallel case to this, in which a late distinguished individual set an example which it was to be hoped would be imitated at this moment. Upon the occasion of an appeal, some years ago, to the Privy Council, respecting the clashing rights of patents, connected with Drury-lane Theatre, Mr. Sheridan took his place amongst the Councillors then present. He (Mr. Brougham) and Mr. Warren were of counsel against the Theatre, and they immediately took an exception to the right hon. Gentleman sitting as judge in his own cause. Mr. Sheridan replied, as no doubt the East-India Directors would now reply, that he was not a party to the cause, being only a trustee for others. Being pressed, however, as to whether he had or had not an interest in the result of the proceeding, Mr. Sheridan frankly confessed that he had. It was decided that he could not sit as a Privy Councillor upon that occasion, and he very modestly and decorously withdrew from the table. The principle was clear, that a party having any interest, however remote, ought not to sit as judge in his own cause; and he (Mr. B.) believed his hon. and learned friend behind him admitted that it would be as well if the Directors did not vote upon this question.

Mr. *Cutlar Ferguson* denied that he had made any such concession. He saw nothing improper in the Directors voting upon this occasion, and he asked what would have been said, if the Directors had entirely absented themselves? He again denounced the mode of remuneration as not founded in justice.

Colonel *Lushington* defended the right of East-India Directors to discuss and vote upon all questions with the same freedom as other Members of that House. He saw no reason why the latter most important right should be merged in the former accidental character. The interest which the Court of Directors had in this question was too remote to influence their votes. For himself, he disclaimed any bias. He protested against the claim as a hardship and injustice upon the natives of India, who had never received any benefit from the labours of this officer. If Parliament were bent upon compensating these individuals, it would be a fairer mode, to lay a tax upon the law proceedings in the superior Courts of India, than to impose a burthen upon the territorial possessions of the Company in that country.

Mr. *C. W. Wynn* said, that from the circumstance of his being President of the Board of Control when the matters to which this proceeding referred took place, he felt a strong interest in the question. He was afraid that he was not quite free from blame himself for not having brought the case forward before; but he thought then, as he still thought, that if redress could be had through the medium of a court of law, it would be better, in every point of view, to refer the matter to an ordinary tribunal than to Parliament. He was persuaded, however, that this was now the only course in which justice could be done. Not knowing any thing of the individual in question, he could not be supposed to be biassed one way or the other in this case. From all that he had been able to learn, it was a case of great hardship on those who had suffered by the bankruptcy of the Registrar, and he (Mr. Wynn) was deeply impressed with the justice of their claims for compensation. Indeed, the contest was not so much upon the nature of the claim as the fund out of which it ought to be satisfied. His (Mr. Wynn's) notion was, that it was not intended to satisfy these claims out of any particular fund; but that Parliament was understood to be pledged to allow any equitable claims which might be proved. The principle he thought undeniable, unless the House wished to stultify its own proceedings in other cases; for to give compensation to the Masters in Chancery and refuse it in this case, would be not only gross inconsistency, but manifest injustice. The present claim arose out of the proceedings of the House, and was therefore worthy of consideration.

Mr. *Astell* saw no reason why he should surrender his privileges, as a Member of the House, to vote upon all questions connected with the public welfare, because of any imputed interest which he might have of another kind. He disclaimed any particular interest in this case, and if the House should think that he ought not to vote upon this occasion, he must require every holder of East-India Stock to go out with him. He opposed this Bill because it was not bottomed on justice; for he saw no reason why the natives of India, who were already heavily taxed, should be also called upon to make good defalcations arising out of proceedings instituted solely for the benefit of British subjects. It was not a question of generosity, but of justice, for the Company were not in a situation to be liberal, though they were disposed to be just. For those reasons he did not consider the petitioners entitled to compensation; but if, contrary to his wish, the Bill should be committed, he hoped it would undergo material alteration in its progress, as there were many points in the enactments which he considered highly objectionable.

The *Chancellor of the Exchequer* said, that there were two questions to be considered; first, whether the loss ought to be made good? and, secondly, who was the party by whom it ought to be made good? The only parties to whom responsibility could attach were the general Government, the Indian Government, and the party through whose misconduct the defalcation had taken place. He was decidedly of opinion that compensation ought to be given, for no Government could duly maintain its character if it did not satisfy every fair and even doubtful demand upon its justice. He was also of opinion that in this case the compensation ought to come from the Indian government, because, even as a matter of account, it should be charged to the territorial revenue. He attached no blame to the Indian government in this transaction, and thought the Directors had a right to vote upon the question. For himself, he should vote in favour of the Bill.

Mr. *Trant* supported the Bill, and put it to the hon. Director whether, as the sense of the House was against him, it would not be advisable to withdraw his opposition.

Mr. *S. Wortley* agreed in thinking that the Indian government ought to be liable, but thought the Bill might undergo much improvement in the committee.

Mr. *Loch* contended, that the Bill was founded on an erroneous principle, and cautioned the House against adopting a measure which might be injurious as a precedent.

Mr. *Astell* said, that though his opinion was not altered by what had passed, he would not divide the House upon the question.

The Bill read a second time.

HOUSE OF LORDS.

Monday, June 21.

Minutes.] The Fees on the Demise of the Crown Bill was read a third time and passed.

Petitions presented. Against the Punishment of Death for Forgery, by the Earl of Shaftesbury, from the Borough of Leicester:—By the Duke of Buckingham, from Ipswich and neighbourhood:—By Earl Spencer, from Braintree, Essex; and the Inhabitants of Northampton:—By Viscount Lorton, from Stanstead, Essex:—By Lord Wharncliffe, from the Bankers and Merchants of Wakefield, and from the Wesleyan Methodists of Settle, in the County of York:—By Lord Calthorpe, from Mr. Rothschild and others, through whose hands bills from 20,000,000*l.* to 30,000,000*l.* annually passed; from the Protestant Dissenters of Bury St. Edmund's; of Thomas-square, Hackney; from bodies of Dissenters at Great Yarmouth, Stowmarket, Newport, places in Gloucestershire and Durham; from Reigate, Surrey; from the Jurors of the Oyer and Terminer at the Old Bailey; from the Inhabitants of Carlisle, Evesham, Redruth, and Blessington; from the Mayor, Aldermen, and Corporation of Norwich; and from several other places:—By the Marquis of Lansdown, from the Bankers and Inhabitants of Tavistock; from the Mayor and Corporation of Maidenhead; and from the Bankers and Merchants of Stockton-on-Tees. By the Earl of Carlisle, from Dungarvon, against an increase of Taxation in Ireland. By the Earl of Rosslyn, numerously signed, from the Calico Printers of Lancashire and Yorkshire, complaining of the undue use of Machinery. By Lord Wharncliffe, from Huddersfield, for the Abolition of Slavery in the Colonies. By the same noble Lord, from Horbury, in favour of the Removal of the Assizes to Wakefield. By the Marquis of Clanricarde, from Menlough and Rahoon, in favour of the Galway Franchise Regulation Bill. By the Marquis of Lansdown, from Carrigeen, and another place in the County of Kilkenny, against the increase of Duty on Stamps and Spirits in Ireland.

Counsel were heard at the Bar against the East Retford Disfranchisement Bill.

HOUSE OF COMMONS.

Monday, June 21.

Minutes.] Returns ordered. On the Motion of Sir G. Clerk, the number of Gallons of Proof Spirit made from Malt, by every Distiller in Scotland and Ireland, in 1826 and 1827; and of the total number of Gallons of Wash from which it was Distilled.

A Bill was brought in to regulate Army Pensions, and a Bill to impose an additional Custom Duty on Spirits.

Petitions presented. Against the additional Duty on Rum, by the Marquis of Chandos, from West-India Merchants and Planters. For Equalizing the Duties on East and West-India Sugar, by Mr. Huskisson, from D. Gladstone. Against the Stamp and Spirit Duties (Ireland), by Mr. King, from West Carbery, Skibbereen, and from Cove:—By Mr. Latouche, from Kildare:—By Sir Marcus Somerville, from the Land-owners of Meath:—By Mr. O'Connell, from Clonagowes, the Union of Middleton, and Kilconly:—By Mr. Spring Rice, from Lower Connelloe, Askeaton, Kenry, and St. John's (Limerick); and from Carrigeen and Moncoyne. Against the Grand Jury System, by Mr. O'Connell, from Gerald Dillon, Esq. In favour of the Northern Road Bill, by Sir James Graham, from the Magistrates and Incorporations of Leith:—By Sir George Clerk, from the Chamber of Commerce, Edinburgh. Against the Duty on Coals carried Coastwise, by Mr. Hart Davis, from Bristol; and against hawking Meat, from the Butchers of Bristol. For the Repeal of the Union of Ireland, by Mr. O'Connell, from Kilconly, Market-on-Fergus, and Bunratty. For Exemption from serving the Office of Churchwarden, by Mr. Spring Rice, from certain Presbyterians of Fethard (Limerick). In favour of Election by Ballot, by Mr. O'Connell, from the Metropolitan Political Union.

Improvements in the Strand.] Mr. *Hobhouse* presented a Petition from 300 tradesmen, inhabitants of the Strand, and the parish of St. Martin-in-the-Fields, complaining of the losses they had sustained in trade by the delay which had taken place in carrying the improvements into execution. The petition was signed by every shopkeeper in the Strand, and they stated, that they had petitioned in favour of the improvements; but had they known the delay which was to take place in carrying them into effect, and the loss they should sustain in consequence, they would strenuously have opposed the measure. Four years had elapsed since the commencement of the alterations, and they were not yet completed, nor was there any probability of their soon being so. Mr. Arbuthnot, when in office, assured him (Mr. Hobhouse) that the works should be carried on as rapidly as the funds of the Woods and Forests would permit. He thought the petitioners, who undoubtedly sustained great loss in their trade, ought to expect and demand the immediate completion of the work, as much as if the improvement were the project of some private individual. The case was one of great hardship, and the petitioners, who had memorialized the Board of Works, &c., without the least attention being paid to their complaints, had no other resource than to apply to that House.

Lord *Lowther* said, that the office over which he had the honour to preside had not been so neglectful or inattentive to the representations of the petitioners as was stated. The fact was, that considerable delay had arisen from the number of persons with whom Government had had to treat for the houses and ground. There were the freeholder, the landlord, the tenant, and under-tenant, &c., all which had certainly created a delay. The time allowed by the Act of Parliament was seven years; however, the whole of the purchases were now nearly brought to a conclusion. There were only three houses the purchase of which was not yet settled; and, out of the whole number, there remained only seventeen to be paid for. The ground was nearly cleared, and plans fully arranged and determined on. It was unjust to the Board of Works to say nothing had been done; and when the extensive pile of buildings which had been erected where the Exeter Change stood, within the last twelve months, was looked at, it could not be said that any delay beyond that which was unavoidable had taken place. Government had been put to a stand at one time for money, but the vote of last year, of 300,000*l.*, as a loan, had removed that difficulty. He could state, that with respect to the upper part of the Strand, beyond Southampton-street, it would be completed in a very short time, and the whole as quickly as possible. With respect to the alterations at Charing-cross, a further delay of a few months would take place.

Petition laid on the Table.

WAYS AND MEANS—SUGAR DUTIES.] The House, on the Motion of the Chancellor of the Exchequer, resolved itself into a Committee of Ways and Means; and the Resolutions respecting the Sugar Duties having been read,

The *Chancellor of the Exchequer* said, that before they became a subject of deliberation in the House, he begged to add, that a duty of 1*l.* 2*s.* 6*d.*, as it was printed in the Resolutions, should be only 1*l.* 2*s.*, and he wished at the same time to state, that he was prepared to allow the East-India sugars of a low price to come into the market on a proportionate reduction of duty, similar to the West-India sugars of the same kind; but the higher description of East-India sugars were, in all respects, to remain in the same relative condition as to duty as they had been before the contemplated alterations.

Mr. *Huskisson* spoke as follows:—Sir, as I perceive it is not the intention of my right hon. friend (the Chancellor of the Exchequer) to propose any other alteration or modification of these Resolutions than that he has just now announced with respect to East-India sugars, I must crave the indulgence of the House while I offer a few observations on what appears to me to be the most extraordinary, and the most incomprehensible, and the least practicable proposition that ever was submitted to the Parliament of this country. This Resolution was proposed on Monday last, and the consideration of it postponed in order to allow it to be printed. I am glad that it was so postponed, for that has given time for consideration, and I believe there never was a proposition connected with the trade of this country which, now that it has been considered, is viewed with more alarm, or seems better calculated to produce endless trickery and confusion than that which is now before us. The proposition, if I understand it right, goes to reduce the duty on sugars, of a certain description of quality and price, from 27*s.* to 20*s.*, and my right hon. friend alleged, as the reason for the reduction, the distressed state of the West-India Colonies. In order to prove this distress, my right hon. friend, when he brought forward his propositions, cited the case of two estates, and explained the extent of the produce and the cost of cultivation. These two estates were, I presume, in the same Island, and, probably, in the same parish; but if he had taken the whole of the old Islands belonging to Great Britain as proofs of the distress of the West-India interests, I believe the illustration would not have been inapplicable or exaggerated. I believe all the ancient Colonies belonging to this country, Jamaica, Barbadoes, Antigua, St. Christopher's, Dominica, all these islands are in a state of much greater distress than those which have been recently annexed to our possessions. The land of those islands produces now a much smaller quantity of sugar, in comparison, than the islands which have been taken into cultivation at a later date, and are not so worn out and exhausted by repeated crops; but, at the same time, by the superior skill employed in their cultivation, and by the judicious application of capital in their management, the sugar that is produced in the old Colonies is known, although small in quantity, to be of a very superior quality. Now the Resolutions of my right hon. friend are intended to relieve the distressed colonists of the West-Indies; but that distress, from these peculiar circumstances, prevails to an infinitely greater extent by comparison in the old colonies than in the new, and the Resolution, therefore, by endeavouring to extend the sale of the coarse sugar produced by the new colonies will tend, of course, to exaggerate the distress, to perpetuate the burthens, and to increase the difficulties of all the old colonies where relief is known to be most required. The islands of Barbadoes and Antigua, although two of the most fertile of the old colonies, do not produce more than one-third of the sugar grown upon lands of the same extent in the richer and more fertile colony of Demerara; and, therefore, the proposition which goes to increase the sale of the sugar of the new colony will diminish in a proportionate extent the demand for the limited produce of the old colonies, which from the circumstances of their situation are most in need of assistance. Before I go further, however, I would ask my right hon. friend to explain to me the meaning and bearing of the Resolution which he has proposed, for notwithstanding it has been extensively circulated, and amply considered, I know, from the best information, that there is not a man in this city, whatever may be his situation, planter or merchant, buyer or seller, or broker, who thoroughly understands the manner in which the right hon. Gentleman proposes to bring his plan into operation. Sugar, it is well known, is sold at what is called the long price—that is, the price including the duty; and the result of the measure will be, that whether a man sell his sugar at 54*s.*, or at 47*s.*, he will in the end obtain just the same price. If he sell his sugar as worth 54*s.*, it will be considered 7*s.* better, and the duty paid must be the high one; so that in fact as the duty in one case might be only 20*s.*, and in the other 27*s.*, the price obtained by the planter might be just the same. This, however, is not the only difficulty which these Resolutions produce. I would ask the right hon. Gentleman in what possible way he can hope to check that fraud and collusion to which they hold out so much temptation? Sugar is not sold in small quantities, but generally in very considerable lots, of fifty or 100 hogsheads at a time. Was this purchase, then, to be made with no better consideration as to quality and price than some fifty or 100 sheep in Smithfield Market? Some sugars are worth 30*s.* Some are worth 60*s.*, how are the gradations of the right hon. Gentleman's scale to be established, if the whole fifty hogsheads are purchased at 20*s.*? Is a broker to be at liberty to pick out a hogshead, and say, I like this, and is he to take it at the price of the others? How does the right hon. Gentleman propose to guard against tricks of this kind? Is the valuation to be upon each hogshead of a whole lot? How are the duties to be paid? Are they to be paid when the purchaser pleases? If that be so, then the purchaser will watch his time, tender his duty when the price is low, keep the sugar till the price rises, and then sell it at a great gain to himself, and a great loss to the Revenue. Again, in taking the averages, how is the right hon. Gentleman to guard against receiving the lowest duty on the primest sugar? These, and fifty other modes of trick and delusion will be resorted to for the purpose of evading the duties, which will defeat the object of the right hon. Gentleman. I can conceive also many cases in which, from the nature of the right hon. Gentleman's scale, it will be utterly impossible to ascertain at what price the sugar is sold, or what is the duty payable on it. I will take a particular instance of this; suppose my right hon. friend to be a seller of sugar, and that he has a broker dealing with him for a purchase. Sugars, as I have observed before, are always sold at the long price. Well, the price agreed upon in the case I put is 52*s.* The Custom House officer appears to take his part in the transaction, and the seller, as usual, demands an account of the duty he has to pay. The average price of sugar in the market I will assume has been 25*s.* during the week; and by this price the Custom House officer will demand 27*s.* as the duty on sugar, of a price more than 1*s.* above the average, for if he demands only 25*s.* 6*d.*, that will be the case. No, replies, the purchaser the price, since you ask 27*s.* duty, is only 25*s.*, and the Chancellor of the Exchequer's Resolution says, "If such sugar shall not exceed in value such average price by more than 1*s.* the cwt, the duty shall be 1*l.* 5*s.* 6*d.*" How is it to be ascertained which is right, and which is wrong? Or, supposing that "The Gazette" enables the Custom House officer to state the amount of duty for one week, what is to prevent the broker holding the sugar over till the price is stated to be 1*s.* less than the average? Or how, in fact, can the sugar-dealers be prevented from having the price most advantageous to their own interests without considering that of the Revenue? In point of fact, it will not be possible to prevent the collusion and fraud to which the complex and confused proposition of my right hon. friend will invite those engaged in the sugar market; unless indeed, which I think will be the result, the Government becomes the purchaser of all the sugars in the market. How the Government is to dispose of the sugars after it has purchased them is another consideration. If a seller chooses to dispose of his sugars at 25*s.*, and the Government officers think they are worth 26*s*., what then, I ask, is to be the result? except that the Government must become the purchaser of all the sugars that are brought to sale. These are a few, but not all the objections I find to this plan. With respect to the drawback, I have other and more serious objections. Does my right hon. friend mean to say that he will continue to pay a drawback of 6*s*. or 7*s*. the hundred weight more on all sugars exported from this country than the duty paid on them? The plan now before us will lower the price of all the higher description of sugars; but it cannot possibly raise the price of the lower, and we shall in future have to pay a drawback, not on a duty of 27*s*., but on a duty of 21*s*. This is not all the objections, however, to be found in the practical details of this measure. I believe, and I am supported in that belief by many of the most experienced merchants of the day, that these 20*s*. sugars will be brought into competition with all the finer descriptions of sugar, and that the coarse-grained sugars of Demerara will, through the process of refining in this country, beat out of the market all the fine sugars of the old colonies. These, and suggestions like these, are diffusing the greatest anxiety, alarm, and agitation, among all those connected with the West-India Islands. Then there is the question of molasses. That article is made from a description of sugar called "bastards." Is there no alteration to take place with respect to it? If there is not, I have no hesitation in saying that all those who have imported that article to the extent of some 30,000 or 40,000 hogsheads, must be utterly ruined by the quantity of inferior sugars which will now glut the market at the low scale of duty imposed on them. I now come to the consideration of the calculations of my right hon. friend connected with this project. He calculates the probable loss to the revenue, if there should be no increased consumption, at 400,000*l*.; but he assumes that the increased consumption which will ensue from lowering the duty, will compensate for the half of that loss. In the first place, unless the drawbacks are altered he will perhaps lose rather than gain by the increase of business his plan may occasion. I believe, therefore, that he miscalculates; and that as the increased consumption can only take place in low-priced sugars, the average rate of duty he will obtain will not be above 20*s*. and that his loss will be much greater than he imagines. He cannot gain any advantage on the low-priced sugars exported, because the drawback will absorb the whole of it. I would just ask the House to consider the prospect of paying 7*s*. or 8*s*. per cwt. by the reduction of duty from the taxes of this country by way of drawback, in order that we may be enabled to export a greater quantity of sugar to Hamburgh or the Baltic; and yet this will probably be the disadvantage derived from a system of reducing duty, the most vicious that any Minister of this country ever contemplated. I feel as strongly as any man the distressed state of the West-India colonies; but feeling that, I would give relief to all, instead of adopting a partial, unsatisfactory, and injurious scale of gradation, which, by professing to relieve, merely adds to the burthen, and is calculated deeply to injure the revenue of the country, without conferring advantages on any but the foreign consumer. I know that an inquiry has been commenced at the Board of Trade, and that Government intend to take measures for an extensive adoption of the system of *ad valorem* duties. I think that system a good one; but at this late period of the Session there is no time for an inquiry into the best method of applying those duties, or for the adoption of any suggestions which might be made on the subject. Under these circumstances, I would really press upon my right hon. friend that which I urged on his consideration this morning—the propriety of adopting for one year a system plain, practicable, free from all objections, and calculated to come immediately into use. I would propose that system of duties recommended by my right hon. friend (Mr. C. Grant) last year, and again recommended this morning. I would propose that my right hon. friend (the Chancellor of the Exchequer) should at once reduce the duty on all sugars, of every description, from 27*s*. to 20*s*. This would give relief to all the colonies, the old as well as the new. There would be no difficulty in carrying it into execution. It is simple; it would be effectual; and I thoroughly believe it would not involve the revenue in the course of a year in such great losses as the complicated, defective, ill-digested, and partially understood plan of my right hon. friend. I recollect the right hon. Gentleman said last year, in the debate on this question, that the reduction of duty to 20*s*. would produce a diminution of the revenue to the extent of at least one million, if there was no increase of consumption to compensate for the loss. Now, I will take the benefit of the argument of the right hon. Gentleman when he introduced these Resolutions the other evening, and I will anticipate, as he did, that the increased consumption consequent on this reduction would amount to just one half the loss; for, as the right hon. Gentleman anticipated an increase of 200,000*l*. in a reduction of 400,000*l*., I may fairly anticipate that the increased consumption would give 500,000*l*. if the loss of duty was a million; and I don't think I am over sanguine in making that calculation. After the very great reductions of taxation which have been announced in the present Session, I certainly am not one of those who can say we are in a condition to spare 500,000*l*. of our income; but I would call the attention of the House, and of the right hon. Gentleman, to the propositions which accompany these Resolutions with respect to the spirit duties. The right hon. Gentleman proposes an additional duty of 6*d*. per gallon on all Spirits, British and foreign. This duty, supposing the consumption to be the same as last year, would produce 750,000*l*. The right hon. Gentleman, at the time he explained the system of finances for the year, took credit for 300,000*l*. which he expected to be produced by an increased duty of 2*d*. on Scotch and Irish, and of 1*s*. on English spirits. Now allowing that 300,000*l*. to be deducted from this 750,000*l*., there would still remain 450,000*l*. as a set-off against the probable loss of half a million, which might be incurred by that reduction of duty which I recommend. I therefore say, that the reduction of revenue on the whole income of this year will be little or nothing compared with the benefits that are likely to result from the measure I propose. Feeling, however, as I do on this subject, I would say, that even if we were to suffer some loss for the first six months, such is the deplorable state of the planters in those colonies—such is the suffering and distress to which many highly respectable families, and the children of affluent parents, have been reduced by the general fall in the prices of all West-India produce—that I think it would be wise and sound policy on the part of the Parliament of this country, to manifest its sympathy and its feeling for that long-suffering class of our fellow-subjects, by offering, even at some temporary inconvenience to ourselves, all that relief and assistance which, in the present distressed and embarrassed condition of all classes, it is in our power to give them. Much as the West-India planters have been promised, from time to time, nothing has as yet been done for them. Up to this hour, although every class in the country has received some relief, nothing has been done for them. No attempt has been made to relieve their staple commodity from the burthen which oppresses it, although the reductions which have been made in the duties on coffee, and other articles of the same description, give us reason to hope that the effect of such relief would tend to increase rather than diminish that revenue which is supposed to offer the obstacle. I am bound to say, while I thus claim for the West Indies some relief from the Legislature, that, since the duties which I wish reduced were first imposed, we have passed laws with regard to their property, which, however wise, prudent, politic, and humane, they may be, are yet, in a pecuniary point of view, calculated to produce a very injurious effect on their estates. I mean those laws which apply to them as the owners of slaves. I will take one of these laws, which I think more than any other entitles the West-Indians to claim some relief from the Government which imposed it. I allude to the law which prohibits the West-India planter from removing his slaves from one island to another, or even from one colony to another, no matter how great may be the demand or the necessity for such removal. I am sorry to be compelled to discuss in a British Parliament any question having reference to a right of property in our fellow beings. But the West-Indians are placed in a very peculiar situation with respect to the estates which they cultivate. They found those estates burthened with slaves, placed under their authority by many Acts of the Legislature, and they are bound to regulate themselves with regard to them as property, in a manner peculiar and embarrassing. I have said they cannot remove them to any other colony where they may be more useful. I may be told they can sell them if they do not want so many. But they cannot be disposed of in an island where the land is overstocked, and if they discontinue the cultivation of sugar, because it is unproductive, they still further increase their difficulties, because they do not require one-tenth part of the number of slaves for the cultivation of any other description of produce. I may be told, however, that it is in the power of the planter to emancipate the negroes if he cannot employ or support them; but there again the law interferes and prevents emancipation unless the negro can support himself, because he must otherwise become a burthen to the community. This, then, is the state of the West-India planters under the present law. Employ the negroes they cannot; emancipate them they cannot; support them they cannot; and there are I know, not one, but several, islands at the present moment in which the whole produce of the land is insufficient for the support and clothing of the negroes who are necessarily retained on it. These are the results of our regulations, of which, be it recollected, I do not complain, and which I do not wish to see altered; but this, I say, is the situation in which you have placed the West-India proprietors—these are the regulations you have imposed on them—and I think they very much strengthen the claims which, in common with all others, they have on the Parliament of the country for relief. They are the only class to which, since the Peace, no relief has been afforded. It has been frequently avowed in this House that they deserve that relief. It has been frequently promised them, but, unfortunately, taxes in this country are never remitted unless in some case of great difficulty, and when the urgency of the moment imperiously demands it; and when that moment comes, the claims of the West-Indians, however strong, or however pressing, are always deferred to the louder and more pressing clamour of those interests more immediately connected with our domestic embarrassments. The West-Indians, after long suffering and great patience, now claim from Parliament the fulfilment of a portion of its promise, and they come to us, I say, with additional claims on our justice, because of the regulations we have thought it necessary to prescribe with respect to the management of their properties. For these reasons I recommend the reductions I have proposed; and I again entreat the right hon. Gentleman to consider the nature of his plan. If that plan does not work, as I contend it will not, in the way he expects, I entreat the right hon. Gentleman to look at the consequences. The right hon. Gentleman in his Budget proposed to confer a boon on the West-Indians by the imposition of 1*s.* a gallon on all British spirits. It was felt, it was acknowledged to be a boon, and it would have given relief without the slightest prejudice to any other interest, however the contrary may have been supposed. But what will be the situation of the West-Indians—that boon being withdrawn, and an additional duty of sixpence imposed on rum, if the measure of the right hon. Gentleman fails as it must, to give any relief? I therefore entreat the right hon. Gentleman to adopt the measure proposed last year; for that he shall have my vote. I do not say it is the best that could be devised; but it is the only intelligible, feasible, and practicable plan which at this period of the session can be put in execution. I implore the right hon. Gentleman to consider the consequences which result from these discussions, and from this continual alteration of opinions; its effect has been, to suspend all trade at this the most active period of the year. I am now standing here as the representative of, I admit, in a general sense, all the interests in the country; but I am also the immediate Representative of the second great commercial town in this empire; and I speak the opinions of the greater portion of the extensive and important interests of that great emporium of commerce, of all those closely bound by their interests with all the West-Indian Colonies, when I say that this system of indecision, and of experiment, produces there the greatest alarm, inflicts serious injuries on commerce, and is calculated to unsettle all the transactions between man and man. Only look at the spectacle which has been produced by the way that Government have proceeded with the Spirit-duties. When the right hon. Gentleman proposed to lay a duty of 1*s.* on British spirits, orders were of course sent out to the West-Indies to make more rum and less sugar. Is it nothing to these interests to have declarations, emanating from a Government like this, taken up and abandoned without system, foresight, or consideration? Look at the course that is pursued with regard to other articles. Three months ago it was announced that the growth of tobacco in this country would be encouraged under certain regulations. Orders were of course sent out to America to stop the importation of tobacco in anticipation of this change. Now, however, comes a determination that tobacco shall not be grown in this country. Is it to be conceived that a vacillation of this kind does not produce the most injurious effects on the interests of individuals? I say, Sir, it is the duty of a Government to digest its plans better, and when they are thus digested, to be more steady in its resolves. Ministers ought to come to Parliament with a fit, and proper, and well-digested system of action. Their measures should be prepared so as to effect the least possible mischief to the commerce and the existing arrangements of society whenever change is rendered necessary; and when the means of effecting that change are adopted with wisdom and foresight, they should be rigidly adhered to. In the great concerns of the general policy of this country, whether foreign or domestic, it is not fitting that temporary difficulties should be ever met by temporary expedients. We cannot manage the extensive and complicated transactions of Government in the same manner as we would manage an army, and put forth a law one day, as a kind of advanced guard, which may be ordered to draw back the next day. I am not stating my own feelings so much as the feelings of the people, who are placed in such a state of alarm and difficulty that they do not know one day how to proceed, because they know not what the next day may bring forth. It is not, therefore, in the tone of angry reproach, but of admonition, that I call on the right hon. Gentleman to abandon that course of vacillation, retractation, adaptation, and alteration, which unsettles all the transactions of commerce, and renders the measures of the Government suspected or disliked. The former mode of proceeding was much preferable; namely, that a measure should be deliberately considered by his Majesty's Government before it was brought down to that House. Infinitely superior was that to the system of introducing a plan without sufficient consideration, and then if a clamour were raised, and if petitions were presented against it, of abandoning it without any consideration at all. A great complaint has recently been made of the number of petitions presented to the House. Why, that was the necessary result of bringing forward subjects without an adequate previous investigation. I am decidedly of opinion, therefore, that a proposition should be well considered by the person who undertakes to make it, before he brings it forward, and that he should not bring it forward in an undigested state, and then allow it to be kicked out, for the purpose of substituting another. I confidently predict that the proposition now made by the right hon. Gentleman will not be found practicable in its details; and that it will occasion a considerable loss to the revenue; while, by equalizing all the duties on sugars to 20*s*., those evils will be avoided, and satisfaction will be given to all parties.

The *Chancellor of the Exchequer*, before he troubled the House on the subject, wished to know what course his right hon. friend the member for Inverness, intended to pursue; whether he proposed to move the resolutions again which he had moved last year, or to adhere to those which had been ordered to be printed on Monday last, in order that the House might be fully aware of their nature.

Mr. *Charles Grant* said, he still retained the same opinion respecting the sugar-duties which he had entertained for the last two years; but he was afraid, as had been rightly stated by his right hon. friend, that at this period of the Session, and owing to the lengthened discussion to which it would give rise, that there would be little chance of carrying the measure into effect this year. He stated, therefore, that it was not his intention to bring forward the resolution, of which he had given notice, this Session; but simply move those which he had laid before the House last year. In making this admission, he did not mean at all to concede the question to the Chancellor of the Exchequer—he still retained the same opinion, and he only abandoned it for the time, because he saw the extreme difficulty of attaining his object this Session, and also because he was convinced that it would be better to grant some relief than none. He should not, therefore, move his resolutions agreeably to the suggestion of his right hon. friend. He begged leave to remind the House that what he proposed last year was, to reduce the duty on West-India sugar to 20*s*. the cwt., and on East-India sugar to 27*s*., and to take off the duty on refined sugar in bond. After the able speech of the right hon. member for Liverpool, he considered that it would be only wasting the time of the House to say more than that it was his intention to oppose the resolutions of the Chancellor of the Exchequer, because he considered them partial in principle and impracticable in detail, and because they would not produce that good which the West-India planter and the community at large had a right to expect. The right hon. Gentleman then moved, as an amendment, that all brown, Muscovado, or plain sugar, the produce of British possessions in the West-Indies or North America, or the Mauritius, should be admitted, on paying a duty of 20*s.* the cwt.

The *Chancellor of the Exchequer* said, he had been anxious to ascertain what course his right hon. friend, the member for Inverness, intended to pursue, and he was obliged to his right hon. friend for having, by his answer, not only gratified his curiosity, and that of the House on the subject, but made an effectual reply to the grave admonition, if not, indeed, angry remonstrance, which his right hon. friend the member for Liverpool had just addressed to him. His right hon. friend, the member for Liverpool, had denounced his (the Chancellor of the Exchequer's) conduct with respect to these sugar-duties, as so undecided and vacillating as to deserve severe reprobation. Yet it now appeared, that after having received the full benefit of the admonition which that denunciation involved, his right hon. friend, the member for Inverness, came down that evening with the intention of supporting resolutions differing altogether from those which he had proposed no longer ago than on that day week! He did not blame his right hon. friend for this change, or for deferring to the opinion of his right hon. friend, the member for Liverpool; but he certainly called on his right hon. friend to submit with him to the admonition which his right hon. friend the member for Liverpool seemed to wish to bestow on him exclusively. He was certainly as much authorised to make the change which he had proposed in his measures, as his right hon. friend was in not seeing on Monday last the difficulties in the way of imposing an *ad valorem* duty on sugar which had since flashed upon his mind. If his right hon. friend saw good reason for believing that his present proposition would be more conducive to the general interest than that which he had so recently made, other persons were surely entitled to a similar liberty of thinking and acting, and he might claim for himself, without being subject to the charge of indecision and vacillation, the right to propose any alterations in a measure in its progress through Parliament, by which, in his opinion, it might be amended.* He would now beg leave to offer to the House a few observations on the objections which had been made by his right hon. friend the member for Liverpool to the plan recommended by his Majesty's Government. The first was, that it would confer a benefit on the newly-acquired colonies, and not on the more ancient possessions of the Crown. He freely confessed, that in forming an opinion with respect to the nature and amount of the duties on sugar, he had made no distinction between the old and the new possessions of the Crown. He knew no reason why he should select any one class of those possessions for particular favour, or why he should not consider them as all equally entitled to the consideration and protection of Parliament. He by no means, however, concurred in the justice of his right hon. friend's argument, that the proposed measure would aggravate the distresses of the old colonies. He could not allow that the proposed benefit would be exclusively confined to the newly-acquired colonies, or that the old colonies would not derive any benefit from the reduction of duties on low-priced sugars, which was what his resolutions would effect. Complaints of the most urgent character had been made by those who produced the coarser sugars, and overloaded as the market was with them, he was of opinion that a measure which would tend to relieve the market of them would benefit the producers of the finer qualities of sugar. The next objection made by his right hon. friend was, that it would be found impracticable to apply the proposed scale of duties to the different classes of sugar, so as to be effective in producing a revenue. He was perfectly aware when a change was made in duties which had been long established, and which had been collected in a particular fashion, that any new arrangement must be attended by some slight inconveniences, by some doubts and difficulties, aggravated probably by those persons who might not find any advantage in the change. But he confessed that he was not aware of any reason why *ad valorem* duties might not as easily be collected on sugar as on other commodities. The same objection as that made by his right hon. friend, the member for Liverpool, was equally applicable to the resolutions which had been proposed so recently as Monday last, by his right hon. friend the member for Inverness. With respect to an *ad valorem* duty, it must be recollected that it was not necessary that the sugars subjected to it should be estimated precisely at their price in the market. It would be enough if they came within a certain limit of price, affording a sufficient latitude to facilitate the operation of collecting the duty. And although his right hon. friend, the member for Liverpool, had stated various cases in which doubts might arise as to the precise duty which it would be right to impose; he could tell his right hon. friend that those who were conversant with the subject, and were in the practice of collecting duties of a similar description, would have no difficulty in drawing up a tabular statement of the duties which each class of sugars ought to pay, showing both to the dealer and to the officer the just course to be pursued. As to collusion and fraud, there was no doubt that collusion and fraud might take place in levying all *ad valorem* duties. But had that ever been considered a valid objection to the imposition of such duties? Had it not been found possible to counteract the disposition to collusion and fraud, and to levy such duties equally and fairly? Look at other articles on which an *ad valorem* duty had been imposed. Look at cotton; was there not an equal disposition to collusion and fraud in levying the *ad valorem* duties on cotton; and had not means been successfully taken to guard the public from its ill effects? The next objection which his right hon. friend had made respected the drawback. His right hon. friend thought that it would confer too great a benefit on the exporter of West-India sugar; that he would receive a larger amount of drawback than, under the present rate of duty, he was entitled to receive; that, in fact, it would amount to an excessive bounty on the exportation of sugar. If this were a general remission of the sugar duties, then he (the Chancellor of the Exchequer) would admit that too great a bounty might be given to the exportation of refined sugar. But the case was different when the remission was confined to the lower description of sugars. His right hon. friend knew that the refiners did not use the lower descriptions of sugar at present, because it paid so much duty, and because the quantity of refined sugar produced from it was so small. If by the proposed remission of the duties on the lower kinds of sugar they should come into the hands of the refiners, and be extensively used for their trade, the drawback would not be open to his right hon. friend's objection. If he were not mistaken, he had the authority of his right hon. friend himself for not thinking the principle or effect of an increase of drawback so prejudicial as some persons might suppose. If he were not greatly mistaken, at one period, when this very question of the West-India sugar duties came under consideration, at a time when his right hon. friend was in office, he was not indisposed to give an increased drawback on other classes of sugar which were admitted into this country. He knew too well his right hon. friend's deep acquaintance with commercial matters, to suppose that he would for a moment adopt what was calculated to be prejudicial. There was another objection, which was, that as sugar had hitherto been sold at what was called the long price, it would hereafter be sold at what was called the short price. To the public it was of no importance whether the sugar was sold with the duty or without it. But to the West-India planter few circumstances could be more advantageous. At present he had an interest, somewhat distinct from that of the merchant, and rather in favour of sales at the short price; for he had first to pay the commission to the merchant, and then the duty, and to risk the market price, duty and all, if the customer failed in his payments. The planter would be therefore better off by selling at the short price, for he would incur no risk as to the amount of the duty. He would now say a few words on the plan which had been suggested by his right hon. friend, the member for Liverpool, and moved by his right hon. friend, the member for Inverness. He did not quarrel with the plan, except as it would affect our general financial relations. When that plan was discussed, on a former occasion, he had stated, that a general reduction of duty at that time would have risked a reduction in the Revenue of above a million, and that the Revenue was not in a state to run such a hazard. If he were now able to sacrifice a million or a million and a half of the public Revenue, he would not give his right hon. friend the trouble of moving his Amendment. Having, however, made a reduction in the Revenue of 3,300,000*l.* he was not prepared to risk a further reduction of above 1,000,000*l.* For this reason he had felt himself bound so to shape his plan as not to endanger a loss greater than the country could bear. In limiting the apprehended diminution to 200,000*l.*, he had gone to the full extent of what the public interest would permit, at the same time that he afforded a material relief, both to the proprietor and to the consumer of sugar. His right hon. friend proposed to reduce the duty 7*s.*, and seemed to think that the half of the loss would be compensated by additional consumption, while the deficiency would be covered by the increase of the duties on spirits. He did not believe, however, that the increased consumption would or could go to that extent in the first year, and in the present state of the expenditure he could not allow that it was not material if the Revenue derived from sugar should fall off an additional 250,000*l.* If not material with respect to sugar, it could not be so as to other articles, and if he were to yield to this, the general argument, it would be applied to every other branch of the Revenue. He by no means differed from the right hon. Gentleman on the principle of the expediency of all practicable reduction. He had always been anxious to relieve several large classes of the community from the evil which high duties inflicted upon them. There were great differences of opinion with respect to the effect that the reduction of the duty on the lower descriptions of sugar would have on its consumption by the poorer classes of the community in this country. Some thought that its consumption might be much increased; others that it was an article in such general use, that its consumption would be very little increased. Let the present proposition be tried. By relieving the lower descriptions of sugar from a high duty, they might perhaps be brought within the means of a class from whom alone an extensive consumption could be anticipated. But to take off 10*s.* of the duty on the superior descriptions of sugar would not at all increase the consumption of sugar by the higher orders. The consumption, by the higher orders, of the finer sugars as compared with the consumption by the lower orders of the coarser sugars was very trifling, but if the consumption of the latter could be increased by a diminution of duty on the sugars which they were accustomed to purchase, the effect might be considerable. What he wished was, to see how the plan now proposed would work, in order to ascertain to what degree the relief which it was so desirable to afford might be extended without hazard to the Revenue. That was the principle on which he had framed his resolutions. They were calculated to relieve the pressure under which the commodity at present laboured, and enable Parliament to judge of the expediency of any similar proceeding in future. His right hon. friend the member for Liverpool had charged him with vacillation and indecision. When he had once brought a measure before Parliament, to express a sincere opinion that it was susceptible of improvement, and to act upon that opinion, might be a fault; but it was a much greater fault to press forward, from an absurd view of political consistency, any class of measures which subsequent consideration might induce the proposer to believe would not be productive of the benefit which he originally expected. He had departed from his first propositions for the reasons which he had already stated. The change in his right hon. friend the member for Inverness was, however, much greater than his change; and when his right hon. friend, the member for Liverpool, taxed him with having produced great uncertainty and stagnation in the sugar trade by his propositions, he would ask, in return, whether any other proposed alteration of the duties would not have produced similar uncertainty and stagnation? It was at his right hon. friend's suggestion that he had postponed the subject for a week, in order to give time for its better consideration. But his right hon. friend must also know that that delay could not but be productive of uncertainty and stagnation in the trade, the persons interested in which would naturally wait for the decision of the House on the subject before they engaged in any new speculations. Such was the necessary consequence of all propositions involving an alteration in the duties on any commodities. It had occurred with respect to beer—it had occurred with respect to leather—and of course it must occur with respect to sugar. If, however, the House gave to the Resolutions which he had proposed the sanction of its authority, all this uncertainty and agitation would speedily subside; and he was convinced that the operation of these Resolutions, carried into effect, as they might be, by able hands, would afford relief to that part of the West-India trade which was peculiarly suffering, and would be a valuable guide to the House with reference to any future proceedings on the subject.

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* The vacillation imputed to Mr. C. Grant by the Chancellor of the Exchequer, which is scarcely perceptible in the debate, was this;—last year he proposed the following Resolutions.—

"That the duty on West-India sugar should be reduced to 20*s.* a cwt.

"That the duty on East-India sugar should be reduced to 25*s.* cwt.

"That all sugars should be admitted to be refined in bond without duty or drawback."

Last Monday he submitted to the House the following Resolutions, as intended to be proposed by him this day.—

"That it is expedient to reduce the duty on sugar.

"That it is expedient to levy the duty on sugar according to the value of the different qualities of the article, rather than by a fixed rate, adopting such discriminating scale between West-Indian, East-Indian, and foreign sugar, as may seem proper, in reference to local and peculiar circumstances.

"That it is expedient to admit all sugars to be refined, in bond, without duty or drawback."

And on this day he gave up this plan, for the reasons briefly stated in the text, and adopted the proposition of Mr. Huskisson.

Mr. *Keith Douglas* supported the Amendment. He thought, that if Mauritius sugar were included in the average, it would have the effect of very much reducing it. Great inconvenience, too, would arise from the increased supply of inferior sugar, and from the perpetual change to which the average would be subjected. For if in one week the average were raised by an arrival of fine sugar, it might be lowered in the next by an arrival of bad sugar, and thus might a man be compelled to purchase under one duty and to sell under another. He also contended that the right hon. Gentleman's plan would, if carried into effect, alter the whole scale and confuse the commercial transactions of this country. He acknowledged that the object of the measure was to afford relief to the West-India interests, which were certainly in a state of lamentable depression; but even viewing it in that light he thought it objectionable, as temporary and confined, while it was evident that something permanent and general was wanting. In fact, the only way to get our West-India trade upon a fair footing was, to afford it protection from the unfair competition of the foreign Slave-trade, and so to place our commercial transactions in a state of security, which could be only done by a real and extensive reduction of the duties. He highly approved of the taking off the 7*s.* duty, but more should be done, or the difficulties under which our West-India islands laboured would never be conquered. The source of these difficulties, which he begged leave to explain, was this.—At the Peace, there was a large surplus of sugar brought from them, beyond what the consumption of this country could take off, and which was exported to the Continent, and sold there at fair prices. Notwithstanding the consumption had increased in this country, since that time, from 2,100,000 cwt. to 3,800,000 cwt., in the last year there was still a surplus here of about 800,000 cwt., which must find a market on the Continent. There it came into competition with the sugars of the foreign colonies. The planters of Brazil, of Cuba, &c., who had carried on the Slave-trade to an enormous extent, had thereby been enabled to supply the continental markets at so cheap a rate, that our sugar could only find a sale at the most reduced prices, and these reduced prices necessarily affected the whole scale of prices here. Had we not admitted Mauritius sugar in 1825, we should now have had no surplus. How was this state of things to be remedied? Owing to the great reduction of price, which had been all at the expense of the producer, for the duty of 27*s.* per cwt. was maintained, the same as when higher prices prevailed, the consumption had extended, and the Revenue had augmented nearly 2,000,000*l.* since the Peace, but the planters had been ruined. Within the last nine months the continental competition had lowered prices here from 8*s.* to 10*s.* per cwt. more than at the commencement of last year. What had been the consequence? Whilst ruin was inflicted on our colonies, the consumption and Revenue in this year were greatly increased. By returns on the Table, it appeared that in the first quarter of the year, ending the 5th of April, the consumption had increased 160,000 cwt. beyond any former period; and a further return, up to the 1st of May, shewed the increase, at that period, to be nearly 220,000 cwt. It was clear that the Chancellor of the Exchequer had in his coffers, at least 200,000*l.* increase of Revenue from sugar, up to the 1st of May, beyond the estimate of his budget; and the consumption was still going on in the same ratio. The small reduction of duty, proposed by the Amendment, of 7*s.* per cwt. would not immediately benefit the colonist, but it would admit of a further reduction of price, without further disadvantage to him; it would probably get rid of the surplus that now weighed down the markets, and having got rid of that, the trade would admit of regulations which might greatly extend it. He would next suggest, for example, that if the sugars of the Slave-colonies of Spain and Portugal were to be admitted into this country, a preliminary step should be, to demand a pledge from these countries, that they would use their best endeavours to put down the abominable traffic in human blood which they now unblushingly sanctioned. The sugar-trade might then be extended, to the advantage of Europe, and the great interest of the British Revenue.

Mr. *Poulett Thomson* said, he was unfortunately opposed to the right hon. Gentleman on this question; but it was a consolation to him to know that he held opinions on the subject similar to those of practical men—of brokers, merchants, and all others possessing commercial information with whom he had conversed. Had he not happened to have been present at the commencement of the debate, he should have been led into a great error respecting the object of the right hon. Gentleman's speech. He really should have supposed, from the tone and tenor of his reply, that he was advocating, not the Resolutions he had propounded to the House, but the proposition of the hon. member for Inverness, which suggested the imposition of an *ad valorem* duty. He had doubts whether an *ad valorem* duty were advisable; it was not, however, necessary to enter on that subject at present. It was sufficient to remark that the right hon. Gentleman seemed to dilate upon his plan, as if it was simply a proposal for an *ad valorem* duty. But such it was not; for it possessed all the disadvantages of an *ad valorem* duty, andm any others which were peculiar to itself. Again, he had to observe that the right hon. Gentleman had altogether passed over the difficulties suggested by his right hon. friend, as certain to attend the collection of the Révenue. The right hon. Gentleman had contented himself with simply saying, "it may appear difficult to you, Gentlemen of the House of Commons, but I am assured by practical men that it is not difficult." He knew, however, that there were practical men in Mincing-lane as well as in the Customs, and they were decidedly of opinion that the plan was impracticable. Besides, he was by no means convinced that there had not been a little message to the Chancellor of the Exchequer, from the practical men at the Customs, stating that the plan was in its details impracticable, and that his scale could not be acted on. Now, touching on this, he wished to ask the right hon. Gentleman, how he could possibly make out, that the seller derived equal advantage by disposing of his sugar at 54*s.* and at 47*s.* To him the calculation was incomprehensible; and he believed, if the scheme could be carried into effect, that it would make all sugars of the same price in the market, and that Government would be made the possessor of all the sugars imported. It was his deliberate opinion, that the plan was unintelligible and impracticable. If, however, the Chancellor of the Exchequer possessed an argument to show his scheme was practicable, he certainly ought to bring it forward for the benefit of those who were not so enlightened upon the subject. But admitting that the plan was practicable, where was the benefit of it, and in what was it superior—or rather, was it not in all respects inferior to the proposition of the right hon. member for Inverness? The Gentlemen connected with the West-India interest ought to pause before they consented to regard this measure as likely to be beneficial to the West-India cultivation. It was true that the new colonies might derive some advantage from it; but how would it be with the old—with those which produced fine sugars? The quantity of sugar in the market would be greatly increased, while the price would be diminished. This appeared even from the Chancellor of the Exchequer's statement, who allowed that the prices of all sugars must be reduced. Besides, it was to be remembered that this measure included the Mauritius sugars; and it appeared that within the last six months 18,000 tons of Mauritius sugar had been imported into the country: that was to say, one-fifth or one-sixth of the whole consumption of the kingdom—and all this at little more than 20*s.* per cwt. Next he had to ask why should the right hon. Gentleman exclude East-Indian interests from the benefits of his plan; and especially, since some time ago a proportional relief had been promised to them? He alluded to what had taken place on the 29th of May, when the right hon. the Chancellor of the Exchequer and Mr. Vesey Fitzgerald pledged themselves to the East-India Committee, that before the close of the Session, the sugar-trade generally should be taken into consideration, with a view to affording relief to the interests which were depressed. He therefore thought he had a right to express his surprise at the right hon. Gentleman proposing this measure without any allusion to the East-Indian interests. At least the right hon. member for Inverness's plan had the advantage of including them. He must also beg to express his surprise at what the right hon. Gentleman had said respecting drawbacks. The right hon. Gentleman said, that after the duty had been paid, a drawback of 27*s*. would not be money taken out of the pockets of the country for the advantage of foreigners. Notwithstanding this assertion, he begged leave to inform the Chancellor of the Exchequer, that he had heard from a man much interested in it, that if the drawback of 27*s.* were continued, he would have a bonus of 9*s.* 8*d.* on every hundred weight of sugar he exported. He hoped, therefore, that the country would not consent to be taxed for the benefit of foreigners. In conclusion he protested against the right hon. Gentleman's proposal; first, as unintelligible; second, as impracticable; and lastly, unjust to the East-Indian interests, partial to the West-Indian, and injurious to the country generally. Before sitting down, he wished to say one word. The right hon. Gentleman had taunted his right hon. friend with altering his proposition. But what had been the conduct of the right hon. Gentleman himself? Had not the vacillation of Government been most unworthy, and most injurious to the commercial interests of the country? At the commencement of this Session, when he moved for a committee upon taxation, the right hon. Gentleman, in an anxious voice and frightened tone, deprecated all meddling with the sources of the Revenue. "You must not touch sugar, said he; you must not touch rum; you must not touch any of the great articles of our commerce; for by your interference you will throw the whole commercial relations of the country into a state of utter confusion." But what did the right hon. Gentleman do himself? Had not his whole course for the Session been one scene of injurious meddling with the sources of our Revenue; in proof of this he had only to cite the still agitated and undecided questions respecting the duties on rum, on spirits, on tobacco, and now on the subject before the House. He concluded by saying he would support the Amendment.

Mr. *Dickenson* hoped that the House would not rely on the dictum of the hon. member for Dover, who boldly asserted that this measure was impracticable. That rested on nothing better than the authority of sugar-brokers in Mincing-lane. The House would, on the contrary, trust, he believed, to the Chancellor of the Exchequer, who had not brought the measure forward without duly consulting the practical officers of the Customs on the subject. The demands of the planter were founded in justice, and his case required commiseration. The grower of the lowest-priced sugars lost fifty-five per cent by his sales; the grower of the finest not above fifteen: such was the effect of the present bad times. In the days of West-India prosperity there was only a difference of 6*s.*; for the best sugar then sold at 38*s*., and the worst at 32*s.*; or to put it at present in another point of view, there was 20*l.* more of money value in a hogshead of the best sugar than in a hogshead of the worst. He had heard that an estate producing 130 hogsheads of sugar per year brought the proprietor in debt 1,200*l.*; but not to overstate the case, he would mention what he knew. An estate producing 150 hogsheads of sugar, selling at 48*s.* per cwt. brought the proprietor in debt about 35*l.* Three such estates, twenty-five years ago, would have placed a man in the highest affluence. Now, the more he had of them the greater was his encumbrance, and the more certain his distress. Some of the proprietors of such estates were so reduced, that, being unable to make remittances, their children had been driven from the boarding school, and in some instances had actually been lodged in the workhouse. Much had been said against Ministers for abandoning the proposed arrangement of duties on rum and other spirits, but in fact, they had not calculated on such a storm as had arisen. They were sensible how unwise it was to attempt to legislate in the face of hostile public opinion. He certainly was sorry that it was not possible to give the West-Indians relief, on account of the danger to the national Revenue. He knew that the public creditor must be paid—that there was a positive undertaking that his property should be preserved—but it was right to remember at the same time, that there was an implied engagement to protect all other property; that all government was for the preservation of persons and property; and therefore, that West-India property, no more than funded property, was to be confiscated by severe taxation. He would accept the relief now proposed, but he hoped that his Majesty's Ministers would find it expedient next Session to give still more extensive and effectual relief.

Mr. *Stewart* was in favour of the Amendment. He contended that East-India sugar should be admitted. The Indian manufactures had been destroyed by the admission of our goods at two-and-a-half per cent into India; yet we refused to receive the staple commodity of that country, unless at a duty which amounted to a positive prohibition. He should support the Amendment, though he should have liked it better if the duties on all kinds of sugar had been equalised.

Mr. *Manning* observed, that the West-India colonies were most important to this country, both in a military and naval point of view. Such was the opinion of all the officers who had served on that station: and not only did they require our protection on that ground, but also on account of the quantity of manufactures which they took from us. As long as the colonial system was to be supported, these colonies must have their interests attended to. He doubted much whether any considerable benefit would be conferred upon the West-India trade by the measure of the right hon. Gentleman. Indeed, he believed that the right hon. Gentleman had been driven into this measure by an influence somewhat unconstitutionally exercised out of doors, and in his opinion the Irish Members did not consult their own interest in exercising that influence. He trusted that the House would not permit such an influence to be successfully employed. It was now proposed to give a great preference to the sugars imported from the Mauritius; but it ought to be recollected that we sent but little, very little of our manufactures to the Mauritius, and we obtained no rum from them. He was for continuing the old system.

Mr. *Courtenay* said, that he felt called on to make a few observations, in consequence of those which had fallen from the hon. member for Dover, respecting the pledge supposed to have been given upon the subject of East-India sugars by the late President of the Board of Trade. He sincerely wished that that right hon. Gentleman were present to answer for himself; but he was convinced that he had not gone further than this—that whenever he, as President of the Board of Trade, should have the opportunity of advising the Government with respect to the remission of taxes, the case of the sugar duties,—as well upon the point of the general reduction, as upon that of a nearer approximation of the duties upon the East and West India sugars—should be taken into consideration by him, and forcibly urged upon the Government. He was convinced that his right hon. friend could not have offered, in the present state of the Revenue, to reduce a duty that would have put in jeopardy a sum of 1,200,000*l*. a year. He (Mr: C.) concurred in the propriety of the partial remission of the duty, but what were the modes in which this was to be done? There were but two. Either a reduction of the duty on all sugars, by which we should place a large revenue in jeopardy, at the same time that the reduction would be so small that nobody would thank us for it, or by removing the duty from that particular portion of the community which was most subject to pressure. When this measure was charged with being one of partial relief, his answer was, that in that consisted its utility. The pressure was partial, so must the relief be. Some hon. Members supposed that the Revenue would not be hazarded by the first of these measures, because, as they asserted, the consumption of sugar would be much increased, and they expected that the amount of duty would rather be increased than lessened, though its rate was lowered. How did they attempt to prove that position? By stating that the consumption of sugar would increase among the lower orders; for among the higher they admitted it would remain much the same as at present. He doubted that such an increase would take place as to be sufficient to make up the amount of diminished revenue, and he doubted also whether the proposed reduction would relieve the planter as much as was imagined. But the present measure tended to reduce the price to those lower classes amongst which the encreased consumption is expected. The principle of the measure proposed by the Chancellor of the Exchequer was good, and it would be followed by an Act which would render it still more beneficial to the sugar-refiner. In consequence of the provisions of the last Act, the sugar-refiner had been compelled to export the bastard sugar, and to employ only the finer sorts in his manufactory. That obligation would now no longer be necessary, and the sugar refiner, would be able to work with greater profit. Some hon. Members blamed the measure because it did not go on the principle of an *ad valorem* duty. An *ad valorem* duty was a duty that became higher and higher in proportion to the higher price of the sugar, by which the difficulty of procuring the article was made greater to the consumer. Such a principle of taxation did not appear to him to be fair, and he therefore objected to it. With regard to the drawback, he would admit that there would be a bonus of 1*s.* 8*d.* operating in that way after this measure passed; but that would be for the general advantage of the West-India colonies. He should be glad if it were possible at present to go further in the way of reducing the duties on West-India sugars, and if it were possible, to put upon an equality in that respect the duties upon sugars from both parts of the globe; but as he did not think so, he should oppose the Amendment of the right hon. Gentleman.

Mr. *Poulett Thomson* explained. He read a memorandum of the interview last year between a deputation from the East-India merchants and the then president of the Board of Trade, Mr. V. Fitzgerald, purporting that the right hon. Gentleman then promised, that in the next Session of Parliament the question of a general reduction, both in the duties on West-India and East-India sugars, should be taken into consideration, and that the interests of the East Indies should not be overlooked. It was rather hard, he added, that, under such circumstances, instead of their interests having been consulted, that they should now find their produce burthened with what amounted to an additional discriminating duty of 7*s.*, and they had a right to complain that faith had not been kept with them.

Mr. *Bright* had not such confidence in the Chancellor of the Exchequer as to be induced to vote for his measure first, and consent to wait for his subsequent explanation of it. His proposition was only a few days old,—it introduced a new system of taxation, and a new mode of estimating the value of the article in this trade; and it was not therefore fair to be called upon to assent to it after only two or three days' consideration. It went also to alter the whole system of the trade; and were they to assent to it because they were told that the right hon. Gentleman had two or three measures still behind the scenes, such as that with regard to refiners, referred to by the right hon. Gentleman who had just sat down, which were intended to comfort and console the West-India interests? The question before the House was, whether they would support the Amendment, and reduce 7*s.* of the duty, or assent to a measure on a principle which all merchants connected with the trade had pronounced to be partial, unjust, and impracticable. The right hon. member for Liverpool had shown many difficulties connected with this measure, all of which had before been represented to him (Mr. Bright), and he had been requested to press them on the attention of the House. The measures of the right hon. Gentleman, though they might not have been intended to produce such an effect, were calculated to spread dissension amongst the West-India interests, but they had, to their great honour, united in their opposition to this measure. In his opinion, too, the law held out a bounty on the fabrication of bad sugars, and that was in every way an evil. There was not a greater curse on trade than the interference of the Excise in its management; and he trusted that the merchants engaged in this trade would not permit the Excise to interfere with them. The right hon. Gentleman who had just sat down doubted whether the increased consumption would make up for the diminution in the duty; but surely he could not have entertained that doubt, if he had carefully examined the returns even within the last three months. The East-Indian merchants were taken by surprise by this measure; and the right hon. Gentleman must not wonder that they felt disposed rather to oppose than support it. The West-India interests also had every reason to complain of the proposed additional duty on Rum, which would tend still more to prevent the consumption of that article. There was no interest which could be satisfied with the Chancellor of the Exchequer's plan, and he should certainly support the Amendment.

Mr. *Hume* observed, that the Government had failed to redeem the pledge which it had given, to bring the subject fairly and fully before the House this year with regard to East and West India sugars. They had last year promised a full consideration of the subject this Session. There were three interests affected by it. First, there were the people of this country; then the people connected with the West Indies; and lastly, those connected with the East Indies. All parties were entitled to equal advantages, and they should be extended to them; but the right hon. Gentleman's proposition would not benefit the people of this country, and would not benefit the East-Indians. His measure only went to afford relief to one class, and partial relief was always unjust. After the sound principles laid down by the right hon. Gentleman last year, with respect to duties, his present proposition was most surprising. He wished in particular to call the attention of the House to the effect of this measure with respect to East-India sugars. The duty on them at present was 37*s*. Now, under the proposed measure of the right hon. Gentleman, when the duty on West-India sugar would be reduced to 24*s*., the duty on East-India sugars would be forty-five per cent greater than it; when reduced to 22*s*. the duty on East-India sugars would be fifty-four per cent greater; when reduced to 21*s*. the difference would be sixty-four per cent; and when reduced to 20*s*., which was the place that the right hon. Gentleman stopped at in his scale, the difference between the duties on West and East Indian sugars would be eighty-five per cent. This was a violation of the pledge which had been given by Government on this subject. He thought the House ought to adopt the Amendment of the right hon. member for Inveness, though he should have been better pleased had the duties on both kinds of sugar been equalized. As things now stood, the East-India interest was injured, while that of the West Indies was not benefitted. The price of sugars must depend, not on the sugars of the East Indies, but on those brought from the Brazils and Cuba, and in both these places they could raise sugars cheaper than in the West Indies. He trusted, therefore, that this system of injustice would be no longer continued towards the East Indies. A great deal of irritation existed in this country against the West-India interest, in consequence of the belief that the high sugar duties were kept up solely for their benefit. He did not believe that that interest derived any real benefit from these high duties, and he hoped that they would be reduced.

Mr. *Herries* said, that the hon. Member could not have been in the House early in the evening, when his right hon. friend the Chancellor of the Exchequer stated, that an alteration was also to be made in the duty on East-India sugar, with a view to adapt the duty upon it to the proposed reduced duty upon West-India sugar. The duties would stand upon the same relative footing, and only the hon. Member's absence, therefore, accounted for the erroneous calculations he had made, as to the supposed increased difference which would be produced between those duties. The House, it appeared to him, had now to decide upon two measures—one, that proposed by the Chancellor of the Exchequer, was a cautious measure of reduction of duty, with a view not to risk too much of revenue—a matter which, under the present circumstances of the country, most of those who had addressed the House admitted to be of considerable importance. The right hon. Gentleman proposed to apply the relief which he was enabled to afford to those who were most distressed and most embarrassed, and whose distress and embarrassment materially affected the remainder of the body. His right hon. friend, who had introduced, not his own motion, but the motion of the right hon. Member beside him, proposed to make a sweeping reduction of duty, taking the chance of what might be the ultimate loss. An *ad valorem* duty had been objected to—a fixed duty had been thought to be more expedient. It might be so; but an *ad valorem* duty had been decided upon to endeavour to afford relief where relief appeared most wanted.

In all the communications addressed to himself and the Chancellor of the Exchequer, the greatest disadvantage was stated to have arisen from the low-priced sugar, because the refiners could not make any use of it; and this failure occurring in an original branch of the trade, could not but press on such a class as the West-India proprietors, who had an interest in every species of the commodity. It was stated by some persons, that this was to be treated as a kind of contest between our old and new sugar colonies; but he, like the Chancellor of the Exchequer, was ready to admit that no difference should be allowed between them—that they were entitled to equal protection and care; and that any Government would be guilty of a partial injustice that would act in a contrary manner. But was it not true that the old islands were interested in the question of the old and new sugars? and he would put this particularly with respect to Jamaica, the interests of which it was most important to protect. It was undoubted that the Chancellor of the Exchequer did intend to benefit the low sugars; and in making calculations as between sugar at 54*s.* and 47*s.* it was clear that the proposed regulation would be most favourable to the sugar at 47*s.* His right hon. friend, the Chancellor of the Exchequer, in opening this measure to the House, had put it upon the ground of affording relief to those sugars that now laboured under the greatest difficulty, and did not hesitate to consider them before those which were secure of a better sale. The greatest objection, and the one urged most vehemently, was the difficulty of carrying this plan into execution. But if the principle were one which the House ought to adopt, the plan should be agreed upon, though the difficulty should be admitted. He, however, denied that there was any practical difficulty or impossibility. Gentlemen in that House put the case upon the difficulty, as between merchant and merchant, or merchant and officer, as to the scale of duty. Although, however, the subject did not belong to his own department, he had had several communications with persons conversant with this branch of trade, and they, notwithstanding all the objections stated by hon. Gentlemen, have felt no difficulty at all on the subject; and each of them came with a table in his hand, to show how the thing might be made to work. He did not pretend to be practically conversant with the subject, but relying on the knowledge and information of practical men, who considered that the plan could be easily effected, he could not suffer the objection made in the House to have any weight with him. Another objection was, that there would be a return of drawback claimed exceeding the amount of the duty paid. But his right hon. friend could not have applied himself to the consideration of this question with his usual accuracy, when he calculated the surplus this way at 8*s.* or 9*s.* per cwt. If it were now admitted that there was a bounty, in point of fact, on the drawback; if that were now admitted, the bounty gained by this measure could, under no circumstances, exceed the reduction of duty proposed, but generally, and he might say always, could not possibly equal that sum; and the hon. member for Dover, in consequence of his being too practical a man not to know this, had retracted his original doctrine: it was known that raw sugar sold for the same price, both in the home and foreign market, and that fact put an end to the question of a bounty. It was true that there had been a bounty—namely, when the duty was reduced from 30*s.* to 27*s.* then there was a bounty of 3*s.*; and it was also true, that after this there existed a difference between the prices of the home and foreign market, by which the British planter benefitted. But that difference no longer existed. His right hon. friend had remarked with too much asperity on that part of the Chancellor of the Exchequer's plan, which he said would cause an advantage to the exporter of 8*s.* or 9*s.* But the opinion of persons of observation was, that it would not amount to more than 1*s.* 6*d.* Even on the mere supposition that the Chancellor of the Exchequer would adopt as vicious a system as that of giving a drawback greater than the amount of duty, he wished to remind his right hon. friend of one circumstance. When that Gentleman had been a member of the Government, and his advice was taken, a plan had been formed, and communications entered into with the West-India interest, that there should be three rates of duty—viz. 27*s.* on the West-India sugars, 31*s.* on East-India, and 32*s.* upon all foreign sugars, with a bounty of 32*s.* on all sugars exported. Thus giving a bounty of 32*s.* on all exports, although the duty levied would have been lower than that amount. Formerly all sugars derived equal advantage from the low duty, but the proposition at present was the drawback to all that was exported, which was, in general, that of a refuse description, too bad for the refiners, and which, if manufactured in this country, would not give an adequate produce. He believed that the refiner, who used the low-priced sugars, would not be a gainer at all. But to suppose that he could gain to the amount of 8*s*. or 9*s*. his right hon. friend would find, on inquiry, was quite an illusion. His right hon. friend, the Chancellor of the Exchequer, had been accused by the right hon. member for Liverpool of vacillation—of unsteadiness, which was both a discredit to the Government, and an injury to the people. But he would ask any one who knew the progress of that House with respect to financial questions, whether it was a ground of accusation that a Minister, on discovering that the plan he had originally intended to act upon was injurious, should abandon it? Such, indeed, was the course pursued by all who studied to ascertain what was best for the country; and he asked whether that was not the best plan? He would, for instance, remind the right hon. member for Liverpool of the various changes he himself had been obliged to make in his plans with respect to the measures he had introduced to the House. The hon. member for Dover accused the Chancellor of the Exchequer vehemently, because he contrasted the change now made by his right hon. friend, and his suspension of opinion on one particular branch of trade, with the severity that his own motion met with when he brought forward a plan of a general nature. But the case was extremely different, because the Chancellor of the Exchequer only suspended opinion upon one point, while the hon. member for Dover's motion went to suspend opinion upon all the sources of revenue in the country. The hon. Member's motion did not refer merely to beer, or to spirits, but went to suspend the hopes and fears, and opinions, of all classes in the community. The right hon. member for Inverness was not sufficiently explanatory as to the extent of the Resolution now submitted by him. He had moved only one, which professed to be but a part of a series. On a former occasion—which already had been referred to that evening—the right hon. Gentleman had proposed that foreign sugar should be admitted at a duty of 28*s*.; his plan having been, that West-India sugar should be admitted at 20*s*., East-India at 25*s*., and foreign sugar at 28*s*. Well, that did not appear to be his right hon. friend's proposition to-night; and he would only beg to ask, what it was, more especially as he had mentioned that this was but one of a series of Resolutions.

Mr. *Charles Grant* said, that his first Resolution was, that the duty on all sugar imported from the West-Indies and the Mauritius should be 20*s*., and that the duty on East-India sugar should be reduced from 37*s*. to 25*s*. per cwt. He had also another Resolution, in which his right hon. friend concurred—that of allowing sugar to be refined in bond. This was the scope of what he intended to propose.

Mr. *Herries* begged his right hon. friend's pardon; but as that was the end of his hon. friend's proposed Resolutions, which he was glad to hear, it would save him the necessity of going into the question of foreign sugar.

Mr. *C. Grant* had said nothing respecting foreign sugars, his Resolutions referring only to sugars imported from the West Indies, the Mauritius, and the East Indies.

Mr. *Herries.*—The Chancellor of the Exchequer, in introducing an *ad valorem* duty, had stated that his object was to afford practical relief; and he concurred in his views, and believed that an *ad valorem* duty, limited within the extent he had gone to—an extent not too greatly risking the revenue of the country, would afford more relief than any other that could be resorted to. He did not mean to say that parties would not be relieved if a greater reduction were made in the duty, but the whole question was, whether, under the present circumstances of the country, the House ought to venture on a greater reduction; and whether his right hon. friend would be justified if he should go as far as to take off 7*s*. or 15*s*., as had been required elsewhere. No one was more aware than himself of the benefit of a reduction of duty in order to promote consumption; but when, by giving up 7*s*. per cwt., it would require an increased consumption of 1,200,000 cwt. of sugar to cover a deficiency of 800,000*l*. in the revenue, he thought the Chancellor of the Exchequer would not be at all justified in putting so much to hazard. An argument in favour of a possible increase of revenue had been drawn from what had occurred within the last two months. But any Minister who would calculate from the returns of two, or even four months, as to what the amount of revenue in the year would be, would be justly exposed to very great censure. The utmost expected to be gained by the new duty on Spirits came to 200,000*l.*, while the loss calculated to arise by the new system of sugar duties was 400,000*l.*; so that there was thus a sum of 200,000*l.* hazarded in the hope that it would be repaid by additional consumption, and at the same time afford a relief to the West-India interests. To go beyond that, his right hon. friend would not be justified. For all these reasons he should vote against the Resolution of the right hon. member for Inverness.

Mr. *Baring* could not vote either for the original Motion or for the Amendment. The first was impracticable, and the last put in hazard a larger amount of revenue than the country could afford at this moment to lose. Notwithstanding what had been just said by the right hon. Gentleman, respecting the opinion of experienced persons out of doors, he had not heard one Member, practically acquainted with the subject, assert that the plan of the Chancellor of the Exchequer could be executed. An *ad valorem* duty on sugar could not be collected, for although tea was liable to an *ad valorem* duty, it was imported by one corporate body, and sold in one way, so that the amount of duty was at once ascertainable. If sugar could be so imported and so sold, the difficulty of an *ad valorem* duty would be at an end. He had always thought the contest between East and West India sugar in the home market most absurd, because the price of both was regulated by the market to which the surplus were sent. If the surplus were sent to Hamburgh or Amsterdam, the price at home must be regulated by the price of that surplus abroad. He did not think that the measure of the Chancellor of the Exchequer was calculated to give any extensive relief to the West-India planter, unless the monopoly of the home market could at the same time be secured to him. It was also necessary to consider the relief that ought to be given to consumers of sugar, and in that respect he thought the proposition would do little. The right hon. Gentleman who spoke last had given no sufficient answer to the right hon. member for Liverpool, on the point of draw-backs and bounties; and it seemed very clear that an exporter would obtain an advantage of about 7*s.* per cwt. As he had before remarked, the country, in its present state, ought not to run the risk of sacrificing the revenue it would relinquish by reducing the duty on sugar, as was suggested in the Resolution of the right hon. member for Inverness.

Sir *R. Peel* said, that he wished to say a few words on the last point to which the hon. member for Callington had adverted, and which he considered to be by far the most important consideration which had yet been introduced into the debate. That point was simply this—was it the duty of the House, in the present state of the finances of the country, and after the remission of taxation which had already been made in this Session, to run the risk of impairing the revenue further, by making the reduction on those duties which his right hon. friend proposed? The taxes which had been already remitted, by the abolition of the duties on Beer and Leather, amounted to 3,300,000*l.* His right hon. friend the Chancellor of the Exchequer, had told the House that he expected that loss of revenue to be compensated by the new duties on Spirits, to the amount of 400,000*l.*, and on Stamps to the amount of 200,000*l.*, leaving a total loss of revenue amounting to 2,700,000*l.* His right hon. friend behind him now proposed another remission of taxes to the amount of 1,200,000*l.* looking only to the compensation to be derived from the additional duty on Spirits, which was calculated to produce 200,000*l.*; thus proposing, in reality, another reduction of taxes to no less an amount than 1,000,000*l.* His right hon. friend expressed a hope that the sum so lost to the Revenue would be made up by the duties paid on the increased consumption of sugar which would follow the reductions he proposed to make. It was an experiment frightfully hazardous; for could the House calculate that 500,000*l.* would be produced to the revenue, when, in order to raise that sum, there must be an increase in the consumption of sugar amounting to a full eighth part of that which was already consumed in the country? But even if that sum should be produced, there would still be an additional deficit of half a million of revenue to supply: so that upon the whole revenue of the year there must be a deficit of 3,200,000*l.* to be made good upon the most favourable calculation. Such being the case, would it be wise to make any further reduction? His right hon. friend had reminded the House of the savings which the Government would make by the reduction of the 4-per-cents. He wondered how his right hon. friend could have referred to that point, because it was sure to excite in his mind a reminiscence of which he was bound to avail himself. How had the Government been able to effect the reduction of the 4-per-cents? By the maintenance of the public credit. It was by the manner in which it had kept up the public funds that Government had been able to avail itself of its credit to reduce the rate of interest, and to diminish the annual taxation of the country, in that respect, by no less a sum than 700,000*l.* It was on this very account that he doubted the policy of incurring the risk of having any deficiency in the revenue. If they ran the risk of having to make up a deficiency by an issue of Exchequer Bills, or a loan from the Bank, they must bid adieu to all further hopes of relieving the revenue of the country by a reduction of the rate of interest paid for the support of the public credit. He had heard his right hon. friend behind him talk of the vacillation exhibited by his right hon. friend, the Chancellor of the Exchequer. Now he would remind the House, that this remission of taxes differed from every other. It was impossible to take advice upon it from those who had the best knowledge, because they were deeply interested in the result. If those persons, after the remission was agreed upon, told Ministers that they were going to do what was unjust, were they to be blamed if, on learning the injustice which they were going to commit, they changed their original course of action? That the charge of vacillation should have come from that particular quarter certainly did surprise him. For a week past public notice had been given by the right hon. member for Inverness that the motion which the House would have to discuss was for a reduction of the duty of sugar, not according to a fixed rate of the article, but according to the quality of the sugar. The proposal now made by his right hon. friend the Chancellor of the Exchequer, did not differ from the principle advanced in the notice of motion given by the right hon. member for Inverness, as would appear by a reference to the terms of the notice. The second Resolution which the right hon. Gentleman had given notice of his intention to move declared, that it was expedient to levy a duty on sugar according to the value of the different qualities of the article, rather than by a fixed rate. Up to half-past five o'clock that evening, he believed that it was the intention of the right hon. Gentleman to propose a reduction of the duty upon that principle. The charge of inconsistency and vacillation, therefore, came with very bad grace from the right hon. Gentleman, who had abandoned his original proposal, and substituted a fixed rate of duty instead of a duty imposed according to the value of the article. The right hon. Gentleman, it should be recollected, stood in a different situation from his right hon. friend. The former acted only as an individual Member of Parliament: the latter was Chancellor of the Exchequer. He would remind the House that the right hon. Gentleman had filled an important situation in the Government of the country, and was well acquainted with all the bearings of the subject. If the right hon. Gentleman, with all his experience, found it necessary, after a week's consideration, to propose Resolutions not only at variance with those of which he had originally given notice, but directly opposed to them, why should he deny to the Chancellor of the Exchequer the privilege of changing his opinion with respect to the practical operation of a measure which he had propounded? He did not mean to say that the right hon. Gentleman had not a good excuse for changing the nature of his Resolutions. The Resolutions proposed by the right hon. Gentleman to-night did not agree with those which he moved last year. He thought that no imputation rested with any man for changing his course of conduct with reference to matters so complicated. In such circumstances, individuals must be governed by communications from parties interested in the question. No imputation could rest upon any man for changing his course, rather than, by a protracted contest in that House, submit to the chance of keeping the whole country in suspense and creating great inconvenience. If the Chancellor of the Exchequer was convinced that his original proposition was not a convenient one, he thought that so far from its being his duty to occupy the time of the House with a contest on the subject, he did his duty towards the country and towards all parties interested in the question, by announcing the change which his intentions had undergone, and submitting the new proposition to the House. He would not enter into any details respecting the Bill, but he saw no difficulty in fixing the duty in the way proposed by the Chancellor of the Exchequer. The hon. Member who spoke last admitted that the principleof the measure was just. Then why not affirm the Resolutions which contained the principle? He hoped that the House would prefer the Resolutions of the Chancellor of the Exchequer to those proposed by the right hon. Gentleman, without notice, which called upon the House to relinquish one million of revenue in the present state of the public finances, trusting to an increased consumption to compensate the diminution. In his opinion, the proposition was fraught with consequences so dangerous, that no consideration could induce him to give it his support. He also hoped that the House would by its vote show a determination to maintain the public credit, and to enable the Government to make a further remission of taxation by the reduction of the interest of the Debt.

Mr. *C. Grant* said, that however much he respected his right hon. friend who had just sat down, he denied his right to call upon any private Member to adhere to resolutions which he had not proposed to the House. His right hon. friend seemed to think that a Member had no right to change his opinions, but that the Chancellor of the Exchequer might do so, and refrain to press Resolutions, of which he had given notice. That was a new doctrine, which was perfectly consistent with the present mode of proceeding in that House. In it was to be found the secret of the changes which had marked the conduct of Ministers this Session. That doctrine influenced them in the cautious course which they had pursued. His right hon. friend seemed anxious to have the honour of his company in the wandering voyage he was undertaking. He wished him to

> "Pursue the triumph and partake the gale,"

in the undulating course which they were proceeding in. But he must decline to sail in such company. His object in all that he had done on the subject was, to afford relief to the distresses of the sufferers in this country, the West Indies, and the East Indies.

Sir *R. Peel* said, that his right hon. friend had quite mistaken him, if he supposed he cast any imputation on him for his change of opinion. He had merely alluded to the conduct of his right hon. friend, for the purpose of showing that even an individual, the best informed upon the subject, had found reason to change his opinions in a very short time. The only point upon which, perhaps, he could bring a charge against his right hon. friend was, that he had not given the Chancellor of the Exchequer notice of his intention to bring forward a new proposition to-night.

Mr. *C. Grant* said, he had so frequently discussed the subject with the Chancellor of the Exchequer, that he thought a notice was unnecessary.

Mr. *Astell*, not having been present at the commencement of the discussion, did not know exactly what the Resolutions were, and begged that they might be read again.

The Committee divided: For the Amendment 144; Against it 182; Majority 38.

The question was put on the original Resolution.

Mr. *Brougham* congratulated the House on the great knowledge and acuteness which had just been displayed by so large a portion of its Members. A large majority had been found to express their opinion on a subject of great peculiarity and embarrassment. He had heard the proposition of the Chancellor of the Exchequer twice stated, but he could not succeed in understanding it. He had applied to the left and to the right, but he was still utterly unable to comprehend the subject upon which he was called to give a vote. There were, however, 182 Members so perspicacious, so nimble of apprehension, as to be able to find their way through what to him appeared only an inexplicable difficulty. This circumstance was to him a matter of distant admiration,—of extraordinary and hopeless envy; but to the House it ought to be a matter of unceasing and unbounded congratulation, that they were possessed of 182 men of such rare sagacity, although there were 144 others who declared themselves incapable of comprehending a tittle of the subject. He thought that the proposition of the right hon. member for Inverness was more intelligible than that of the Chancellor of the Exchequer. The latter he could not presume to follow, even at a distance, and if he were called upon to give a vote, finding that he could not induce the hon. member for Southwark, the member for Hertfordshire, the member for Taunton, and several others, to reflect upon him any portion of the light which shone upon them, or to direct him to a clue to guide him in the maze in which he was involved, he must, however unwillingly, vote against the Resolutions of the Chancellor of the Exchequer.

Mr. *Huskisson* denied the practicability of carrying the proposed plan into execution. The Chancellor of the Exchequer contended that it was practicable, because henceforth all sugar would be sold at what were called short prices instead of at long prices. The thing was absolutely impossible. He would tell the Committee why. At present there was a fixed duty of 27*s*., which was to be deducted from the long price, in order to ascertain for how much the sugar sold above or below the average price. The average price was made up each week by deducting 27*s*. from the long price. To make the matter clear, he would suppose that the average price this week was 25*s*., which had been arrived at by deducting 27*s*. from the long price of sugar sold in the antecedent week. It was impossible that a knowledge of the average value of sugar could be obtained, except by deducting 27*s*. from the long price. This was so obvious, that he wondered at the Chancellor of the Exchequer's statement on the subject. He thought he could show, to the satisfaction of every man of business, that the Chancellor of the Exchequer did not understand his own proposition. He would put a very possible case to the right hon. Gentleman, and if his plan were capable of being put into practice, he could give him an easy answer. He would suppose the average price this week to be 25*s*., and that a lot of sugar was sold at 52*s*. When the sale was made the Custom-house officer asked the seller what he had sold the sugar for? 52*s*. was the reply. The Custom-house officer deducted 27*s*. from the 52*s*., and found that 25*s*. remained as the average price. The seller told the Custom-house officer that he could not ask him to pay a duty of 27*s*., because the Resolution of the Chancellor of the Exchequer declared that that duty was not to be paid unless the sugars were sold at 1*s*. above the average price, whereas, in the present case, the average price was not exceeded at all. That was a poser to the Custom-house officer. He admitted that the statement was correct, and fixed the duty at 25*s*. 6*d*., which left the seller a nett price of 26*s*. 6*d*. on the transaction, so that, in fact, he sold the sugar at 1*s*. 6*d*. above the average. He wished the Chancellor of the Exchequer to state how this difficulty could be avoided. There was not a man in the House, there was not a practical man in the Customs, there was not an ingenious man in the Cabinet, who could give him an answer upon this point. The right hon. Gentleman called this an *ad valorem* duty. He denied that it was so. It was no more an *ad valorem* duty than the impost affixed to the ascending and descending scale with respect to wheat could be considered an *ad valorem* duty. He certainly should vote against the whole of these Resolutions, because he looked upon them, in the first place as impracticable, and because, in the next, if they were attempted to be carried into effect, they would be liable to be constantly evaded and defeated. His right hon. friend recommended the measure as tending to give relief to the West-India interest; but it would do no such thing. It would give relief to the Mauritius, to Demerara, to Trinidad; but it would give no relief to our old West-India colonies. It would give an advantage to the former, which did not want assistance, and it would not confer any advantage on the latter. The sugars which this scale of duty would allow to come more readily into the market were the sugars of Demerara, and places where it was obtained at a less proportionate cost than were the finer sugars of our old colonies. At present, he believed, the price of a slave at Barbadoes or at Antigua was not above 35*l*. or 40*l*., while in Demerara, or Trinidad, or the Mauritius, the price of a slave was from 80*l*. to 90*l*. This showed which colonies were flourishing, and which were in distress. But the measure would do worse than withhold relief from those by whom it was most wanted—it would add to their distress—it would bring in the sugars of those other colonies at a cheaper rate, and check the consumption of the sugars of our old colonies. Neither would the measure give any relief, or be of any advantage, as his right hon. friend supposed, to the poorer and lower classes of this country. The fact was, that the sugars they chiefly consumed were the Muscovado sugars from our old colonies, while the coarse sugars, on which the duty was to be reduced, were chiefly employed by the refiner, and converted into that sugar which was exclusively consumed by the rich. He declared that if the Government passed this measure it would ruin the colonies, and it must be prepared to take the negroes into its own keeping; for it would be impossible that they could be profitably employed in cultivating sugar. The right hon. Gentleman next proceeded to complain of the various statements made by the Chancellor of the Exchequer at different periods, and he declared that he did not like that right hon. Gentleman's piecemeal budgets. He had come forward with one statement in March—one plan then, and he had another statement and another plan now. He believed that his right hon. friend had not contemplated any reduction of taxation till after the House had forced him to reduce taxes. He believed this from what had occurred in Parliament, and from what had been stated both in that House and the other. At the opening of the Session, he believed that the Government had not contemplated any reduction of taxation. The Duke of Wellington had stated in the House of Lords that the reductions could not extend beyond 1,500,000*l.*, and nine days afterwards his right hon. friend had proposed a repeal of taxes to the amount of 3,000,000*l.* His right hon. friend had stated a week ago, that the revenue he should obtain from his proposed increase of the duty on spirits would be 300,000*l.*; but the quantity of spirits consumed last year was 31,390,000 gallons, and this, at sixpence per gallon additional amounted to 760,000*l.* From this, 300,000*l.* must be deducted for the credit the right hon. Gentleman had given himself when he brought in his budget in March; so that he would have 460,000*l.* additional revenue to meet any defalcation occasioned by the reduction of the sugar duties. But he had his right hon. friend's admission that the reduction of the duty on sugar would be compensated by the increased consumption; and supposing that the loss to the revenue would be 500,000*l.*, here was 460,000*l.* obtained from Spirits to meet it. By assenting to his proposition then, there would have been no hazard to the public credit, nor would the public creditor have been alarmed, or the public revenue put in jeopardy. But in place of the Resolutions he had proposed, his right hon. friend had carried his own unintelligible propositions. But his right hon. friend's plan was as ill digested as it was unintelligible. On last Monday he was not prepared to give any relief to the East-India sugar; but since then the East-India gentlemen had been with the right hon. Gentleman, and he had therefore altered his plan. His was an ill digested plan therefore. He thought his right hon. friend could not be aware of the consequences of his change. He accused his right hon. friend (Mr. C. Grant) of vacillation; but if he had proposed any Resolution whatever last Monday, it would have had no effect on the trade of the country. But when the right hon. the Chancellor of the Exchequer proposed his Resolutions, they affected the whole trade of the country. The consequence of his changes was, that commerce was arrested. The whole trade of the country was at a stand-still. A commercial paper, which he had received from the town which he had the honour to represent, stated, that "the rum, the brandy, the whiskey, and the gin trade are all at a stand; the brewers and maltsters are all at a stand; the manufacturers of tobacco and snuff are all at a stand; the sugar trade is also at a stand, and there is an end to the production of bastards." The right hon. Gentleman went on to say, that bastards was sugar made from molasses, of which 40,000 hogsheads were annually produced. He would also like to know what the right hon. Gentleman meant to do with molasses, and the sugar made from it? The right hon. Gentleman would find his plan impracticable; he would be obliged to abandon it, and he had better do it at once. It was three months since the Beer bill was brought in, and so many interests were concerned in it that that bill ought to pass. He would tell his right hon. friend that his Sugar Bill would never pass. Before it could pass, petitions would be poured in against it from every town of the empire, and then his right hon. friend would find that he was wrong, and he would give up his unintelligible measure. After all the promises made to the West-Indians, therefore, they were to get nothing but an additional duty of 6*d.* per gallon laid on their Rum. He believed that it would be better to do nothing than to throw the matter into confusion, and he would therefore vote with the hon. member for Callington. The West-Indians presented a case of great and urgent distress, demanding instant relief, and this measure would only embarrass and injure them. He wished, therefore, to give notice, that on bringing up the report, he would renew his proposition to reduce the duty on sugar to 20*s.* When the Bill was brought in, two months could not carry it through Parliament, and he again therefore advised his right hon. friend to abandon it.

Mr. *Baring* wished to explain that, having voted in the majority, it was clear to him what the majority voted for, though some Gentlemen described the proposition as unintelligible. The question was, whether they would at once reduce the duty on West-India sugar to 20*s.* and on East-India sugar to 25*s.*, and he for one, thinking it hazardous to make such an experiment on the Revenue, had voted against the proposition. With respect to the Chancellor of the Exchequer's plan, he must say he thought it impossible to levy an *ad valorem* duty on sugar. In the present state of circumstances, he thought it was advisable to leave things alone; but if relief must be given to the West-Indians, it would be better to reduce the duty at once 5*s.* He thought, however, that it would be hazardous to give up so much revenue. The neat surplus of last year, the real amount of National Debt paid off, was only 1,700,000*l.* Under such circumstances, he thought more caution was due to the means of raising the Revenue. He again recommended the right hon. Gentleman either to withdraw his measure altogether, or at once to reduce the duty 5*s.*

The *Chancellor of the Exchequer* said, that he could not accede to either of the propositions of the hon. Gentleman. He could not accede to the latter of the two, because, like that hon. Gentleman, he wished to run no risk of causing a defalcation in the Revenue. The reduction of the duty to the amount of 5*s.*, would diminish the revenue 800,000*l.*, and the reduction of the duty to the amount of 7*s.*, as proposed by the right hon. Gentleman, would diminish the revenue 1,200,000*l.* He could assent to neither of these propositions. In answer to one question put by the right hon. Gentleman, he would state that when sugar was at 52*s.* the duty would be 25*s.* 6*d.* With respect to the right hon. Gentleman's observations as to Spirits, the quantity consumed last year was not 31,000,000 but 26,000,000 gallons, which would be the amount of revenue he had stated. He affirmed that it was in the contemplation of his Majesty's Government to make reductions of taxation, even before the Session commenced. His right hon. friend stated that the Government would not be able to pass the Bill when it was brought in; he was but too well aware of the difficulty of passing measures this Session, but he also knew that it was not his fault. The Beer Bill had been repeatedly brought forward, and he was as anxious as possible to pass that measure. The right hon. Gentleman concluded by saying he should not accede to the recommendation of the hon. Member.

Mr. *Huskisson* rose to say a few words in reply, but was interrupted by cries of "Question." The right hon. Gentleman, after a pause, said he had a character and a station to support in that House, and he would not be put down by any man. He denied that he had ever threatened to make use of extraordinary means for defeating this measure. He had intimated his intention to take the sense of the House on his right hon. friend's (Mr. Grant's) Resolutions on bringing up the report, and he adhered to that determination, because, as he said before, the plan of the right hon. Gentleman was complicated and impracticable. With respect to the duty on Spirits, he found the quantity of home-made Spirits consumed in 1829, set down at 22,690,000 gallons, and of Rum, at 8,700,000; and these two numbers together made 31,390,000 gallons. If there were any mistakes in these returns, he had only to say, that they came from the department over which his right hon. friend presided.

Mr. *Brougham* said, that he was in the same situation as the right hon. member for Liverpool. He found the Resolutions of the right hon. the Chancellor of the Exchequer wholly unintelligible; and he was satisfied that such an opinion was shared by every Member of the House, whether supporters of the Government or opposed to it. He had some doubts whether Gentlemen would vote that 2 and 2 made 7½, but he had none that they would vote that 2 and 2 made 6.

Lord *Milton* observed with reference to the complaints made by the Chancellor of the Exchequer relative to public business, that if Ministers had appropriated the order days to public business, the measures of relief might have been carried through. In fact, however, Ministers appeared more anxious to get the Supplies than give relief; and it came out the last time the Beer Bill was before the House, that it was connected with certain measures of Excise, which were not yet before the House.

Sir *Robert Peel* observed, that the hon. and learned member for Knaresborough had been very facetious and severe on the subject of the majority. It so happened that a minority was never satisfied with the course taken by a majority, nor was that to be expected; though the hon. and learned Gentleman charged the majority with not understanding the proposition which it had affirmed, he seemed, as indeed he acknowledged, not to understand it himself. The hon. and learned Gentleman appeared to think that the majority voted in favour of the original Resolution of his right hon. friend the Chancellor of the Exchequer. He wished that were the case; in fact it was not; and the House had only decided that the Amendment should be rejected. The vote proposed to the Committee was, that the duty be reduced to 1*l.* and all Gentlemen who were not prepared to relinquish 1,200,000*l.* revenue, very properly opposed it. The other question which yet remained to be decided was, whether the plan of relief to the West-India interest proposed by his right hon. friend should be taken into consideration. If the Committee rejected that proposition, it would reject the only measure for the relief of that interest which remained. At the same time let it be remembered, that in voting for this Resolution, hon. Members would reserve to themselves the power of voting against the Bill to be founded on it, if, on further consideration, they should think the existing law preferable to the Resolution of his right hon. friend.

Mr. *Brougham* understood the question upon which the majority divided as stated by the right hon. Secretary; but that was not the first time that votes had been given on a measure, not so much in reference to its own merits, as upon comparison with another. In point of fact, the majority who opposed the Amendment, voted upon what he must still call an unintelligible proposition. In voting against the Amendment, Members were, in substance, though not in form, supporting the government proposition—at least the greater part of them. If a great per centage of the majority were asked whether they voted for the original Resolution or for the Amendment, specifying to them the nature and effects of either, he was pretty certain they would reply, "do not talk to us of a duty of 20*s.* or of the proportion of averages; we know nothing about either—we only know we voted for the government plan, against the plan of the member for Inverness." The right hon. Gentleman said, ingenuously enough, he wished the question were decided in favour of the Government; the Committee was going to decide it: he was aware of that, and he trusted that a great number of the majority of 182, among whom he hoped to find the hon. member for Callington, would not vote for the unintelligible proposition, although they opposed the Amendment. The right hon. Gentleman said, "Do not negative this proposition, for we have negatived the duty of 20*s.*, and no other scheme of relief remains if you reject the present." This was very adroitly put, to catch the support of the friends of the West India Interest; but he hoped that they would not be deceived by it. Even if the Committee decided against the Chancellor of the Exchequer's Resolution, he would not have Gentlemen hopeless of relief. No doubt a more satisfactory plan might be devised and acted on. They should recollect the great courtesy shewn by the Government in conceding disputed points, when it found it could do no better. For his own part he loved to see a government, when it found itself in the wrong, vacillating, and at length getting into the right. The present Government had frequently, done that; and there was no reason why it should not do so again. It began the Session without any intention of relieving the country from taxes, but it had concluded by taking some off. It was said,—"will you oppose a duty so productive to the revenue as that on sugar—will you support a proposition that must reduce the revenue by 1,200,000*l.*—are you prepared to cancel the National Debt?" The same train of argument applied to any reduction of taxation; yet, when Government found that there was a strong feeling for reduction, though no spoliators of the public creditor, they did reduce taxation. He trusted Gentlemen would oppose the present Resolution. If the Committee would not vote for a Resolution which it was doubtful whether they who proposed it understood, and the meaning of which others certainly could not comprehend, let the Committee not be afraid that either the Resolution of the member for Inverness would be re-introduced and adopted, or that the right hon. Gentleman himself would not succeed in framing a more satisfactory and intelligible measure than the present.

The Committee divided; For the original Resolution 161; Against it 144;—Majority 17.

There House resumed; Resolutions to be reported on Tuesday.

SALE OF BEER BILL.] The Chancellor of the Exchequer moved the Order of the Day for taking into further consideration the report of the Sale of Beer Bill.

Sir *E. Knatchbull* observed, that it would be impossible adequately to discuss the subject at that late hour.

The Order of the Day was read.

The Chancellor of the Exchequer moved that the Amendments be read a second time.

Sir *Edward Knatchbull* said, he should have been glad, if he had been enabled, to address the House at an earlier hour, because he then should have felt it incumbent upon him to have stated shortly the reasons which induced him to doubt the efficacy of this measure for the purposes for which it was proposed, and to have urged the House to take into its consideration whether it were expedient to sacrifice so large a portion of the revenue of the country, without any proportionate effect. He should not, at the present moment, follow that course; but as the measure was proposed as one of relief—as it was stated to be introduced as an effectual means of relieving the poorer classes of the community—he might be allowed to say, that if he could have believed that this Bill would enable the industrious labourer to carry home to his family that beverage of which we all boasted, he should have rejoiced at its introduction, and should never have made any opposition to it. But he believed whatever relief the Bill might afford in large and populous towns, that it would confer no benefit at all upon the labouring classes. The principle of the Bill, however, had received the sanction of the House, and it would not become him now to place himself in opposition to it. Being desirous of economising the time of the House, he should proceed to state, as shortly as he could, the two propositions which he was about to submit for its consideration. It was impossible to regard this measure without taking into consideration the property which would be affected by it—he alluded to the large property of the numerous publicans, which would be materially affected by it. That such property would be injured by the measure, as it now stood, was a proposition which he had never yet heard denied. It was with the view of easing that class of persons, and of removing from them the heavy loss with which they were threatened, that he brought forward his first clause. The property involved was considerable, and the circumstances in which it was placed were such that it was impossible the proprietors should not meet with the favourable consideration of the House. That property had been invested under the sanction of Parliament, and had been considered as secure as that of the fundholder. He must beg to remind the House of the peculiar situation in which the publicans were now placed. In 1828 his hon. friend the member for the University of Oxford brought in a bill which received the sanction of Parliament, and by which it was considered that the question was finally settled. If, after the solemn declaration of Parliament, that property should be invaded, and at one blow be destroyed, the persons so affected would have ground to complain of great injustice. It was not only the immediate possessors of this property who would be injured, but all those who were connected with them. Jointures might have been made, and mortgages executed, all of which would be affected by this change. The first amendment he should propose was, to limit the clause giving permission to drink the Beer on the premises, to a permission to vend the Beer, but not to allow its consumption in the place or house where it was brewed or sold. This would show sufficiently that he was no enemy to opening the Beer-trade for the benefit of the community, whilst the Legislature took care to accompany it by a provision which would tend to defeat the demoralising effects of holding out additional inducements to those already in existence, to the waste of time and the consumption of the wages of the labourer in riot and tippling in numerous taphouses. It would of course bring the farmers and their labourers to their own fire sides and families, instead of estranging them from their homes and their duty. He was decidedly averse to the Bill in its present shape; for whatever might be done in the metropolis by the activity of the Excise, such was the strength of the temptation to the violation of law in districts on the coast, that the license to sell Beer would, in all such places, prove a pretext for selling smuggled spirits. A more extensive police and excise must be adopted, as a consequence of any such general permission. If they should pass the Bill with its present unrestricted permission to sell Beer, it would be a departure from the long recognized principle of the Legislature on this subject; and be a sacrifice of that principle to mere considerations of revenue. Its increased produce in that respect was merely conjecture, and extremely over-rated. The whole of the arguments now used had been resorted to in the defence of Mr. Estcourt's bill two years since, and, after being maturely canvassed, were deliberately refuted. He believed, in addition to these considerations, that the effect of the Bill would be highly injurious to the moral interests of society. The second amendment he should propose was, that the Bill be passed for three years only. If the Bill were erroneous in principle, three years would be too long for it to last; but if it were found to work well, as they had been promised it would, then it would be time enough to make it a part of the permanent law of the country. He moved for leave to bring up his first clause.

Sir *C. Burrell* seconded the Motion. Unless such a clause were introduced, the effect of the Bill would be to abstract a labouring man from his family, instead of conferring upon that family the benefits which the Bill professed to contemplate.

Sir *J. Sebright* stated, that he could not agree to the clause proposed by the hon. member for Kent, because he thought it calculated to create irritation and injury; but at the same time he regretted that a clause had not been introduced into the Bill similar to that for which he had recently voted, to secure the publican from the hardships to which he would now be subjected.

Mr. *Bramston* was persuaded that if the Beer were permitted to be sold at the houses in question, those houses would be the resort of criminals, and would also tempt the industrious labourer to waste in them the means which ought to be applied to the support of his family. He was aware of the objection which existed against the existing monopoly of the public-houses by the brewers. He did not believe that it existed, except to a small extent, and not in an injurious form. But if it did, he was sure that the present Bill, even with the proposed Amendment, would not be sufficient to put it down. The publicans in this country were a large body of respectable individuals, and their interests ought not to be injured unless for some great purpose of general benefit. His conscientious conviction was, that the Bill would not answer the purposes proposed by those who brought it forward. His experience as a magistrate and a country gentleman had led him to this conclusion; and he, accordingly, felt it his duty to support the Amendment.

The *Chancellor of the Exchequer* assured the Members that, rising at that late hour to address them on a subject which had been already fully discussed, he would not detain them for many minutes. It was not necessary that he should, for the hon. Baronet had not brought forward anything in defence of the clauses he proposed, that had not already been proposed, discussed, and rejected by the House at a former period, when the hon. member for Reading had moved a clause with the same object, and to the same effect. Both the hon. Members were, in fact, arguing the cause of a particular class of the community against the great mass of the population. The brewers and publicans were the parties on one side,the labouring population of England on the other. The first were, he allowed, a most respectable body, and one possessed of considerable weight, and enjoying the advantage of having influence, and talent, and education enlisted in their defence. The other party possessed not the same facility of combining to give expression to their feelings and desires, but he besought the House not to consider that on this account they were indifferent to the question which was to be that night decided. He could assure them it was not the case; he had received numerous letters from all parts of the country expressive of the people's gratitude for the good intentions evinced towards them, and their anxiety that the measure should be carried into effect. And strange to say, he had that morning received letters from the counties of Kent and Essex, from gentlemen who represented themselves as chairmen of committees recently formed, and who stated that the unanimous feeling of the people was in favour of the measure, and that if sufficient time were afforded, a vast number of petitions, which were then in progress, would be sent up to express their opinions within the walls of that House. The efforts of those interested in opposing the Bill had been great and unremitting; they possessed peculiar facilities of giving a unanimous utterance to their feelings, and they were sure of strenuous support from the hon. Gentlemen who had espoused their cause. The labouring population enjoyed not those advantages; but surely the House would not deal more hardly with them on that account. On the contrary, they should rather entertain a prejudice in their favour, and a leaning to their side. With respect to the first clause proposed by the hon. Baronet, its effect would be, were it adopted, entirely to destroy the principle of the Bill, and he believed the arguments in its favour might be divided under two heads; first, the unjust invasion of property; secondly, the question of morality. That there would be some sacrifice of property upon the part of many brewers and publicans, he at once acknowledged and deplored, but it was certainly better that a few should suffer, than that the public at large should be deprived of a great benefit. Nor could he bring himself to believe that the loss of property would be so great as it had been represented by the hon. Member. The brewer who was established, would enjoy a great advantage over any new-comer; and if he were disposed to carry on a fair and proper trade, he might still set all competition at defiance. Then, as to the question of morality, he denied that any injury would be inflicted on the morals of the people by the increase in the number of public-houses; and he contended that experience with respect to the effect produced by the small retail breweries further proved this. By increasing the number of brewers, and removing penalties injuriously imposed, for errors instead of crimes, the House would take away all temptation to evade the law; and thus put an end to all those vexatious informations and prosecutions which so much conduced to immorality upon all sides. The clause for limiting the duration of the Bill to three years he must also oppose. The measure had the assent of the great mass of the people; it was for their benefit Government was determined to take off the Beer duties, and it was also determined that the people should have the advantage of it, and not, as would be the case if the Bill were not carried, a certain class of persons who enjoyed a monopoly in the sale of the article. The measure, he had no doubt, would work well. It would conduce at once to the comfort of the people, in affording them cheap and ready accommodation; to their health in procuring them a better and more wholesome beverage; and to their morality in removing them from the temptations to be met with in a common alehouse, and introducing them to houses of a better order, which, notwithstanding the apprehensions of certain hon. Members, were guarded by stricter securities than the former; for in all cases the landlord was to be responsible for the conduct of those entertained in his house, and if they created any disturbance either within doors or in the neighbourhood without, he would be held accountable. Under all these circumstances, he called on the House to reject the Amendment. If at that late stage of the proceedings they were to accede to it, it would be a great disappointment, as well to the views of many honourable members, as to the country at large.

Mr. *Benett* opposed the Amendment. He thought an increase in the number of public-houses would be of great advantage to the agricultural population. He had himself witnessed cases of great inconvenience from the great distance of public-houses from the spot in which the labouring man was employed. Many bad consequences resulted from his not being able to have his comfortable meal and his beer in some neighbouring house; of these one was, that he was sure to go to the public-house on the Saturday, and in a single debauch spend more money than would have sufficed for his refreshment during the entire week. He also was of opinion that it was quite unnecessary to make any provision that the Bill should expire at the end of three years, since it could be revised or repealed at the end of one if it were not found to act well. Such a provision, too, could only have the effect of maintaining excitement, and encouraging illusion.

Sir *E. Deering* supported the Amendment. The multiplication of public-houses he considered a great evil, both from its unjust effect upon the interests of those who had embarked capital, upon the faith of old standing agreements, and from the injury it must inflict upon the morality cf the people.

Colonel *Sibthorp* advocated the motion of his hon. friend, the member for Kent.

He entirely concurred in all his views upon the subject. It was most unjust to deprive the brewers and publicans of their vested rights; and it was impossible not to perceive that the morals of the people must suffer by throwing open so many ale-house doors to them.

Mr. *Byng* would not support the Amendment if he believed it destroyed the principle of the Bill, for there were many things in the Bill that he liked. He wished that the labourer should enjoy the opportunity of having a good and wholesome beverage in a convenient place, and at a moderate price; but he thought there could be no greater evil than having every house in a village turned into an ale-house. It was a mistake to suppose that there was not competition at present; and it was likewise an error, to imagine that an increase in the number of brewers would improve the beer. Within a space of two miles in his neighbourhood there were twelve breweries, and four free houses, one of which was his own, and the beer sold in that was decidedly the worst of the four. There had been five public houses, but one had been got rid of, and since then the parish had been much quieter than before. For these reasons he felt bound to support the Amendment.

Sir *E. Knatchbull* denied any wish to plead the cause of a party against the community. He remarked, that sufficient time had already been given, for all who desired it to petition. The Bill, like many others, had been then three months before the House; yet there were only eight petitions in its favour, while there were four hundred and eighty-three against it. Feeling that it was a measure calculated to do much injury, he should feel it his duty to divide the House.

The House divided;—For the Motion 108; Against it 138—Majority 30.

List of the Minority.

Acland, Sir Thomas
Antrobus, C.
Ashurst, W.
Astley, Sir J. D.
Attwood, M.
Bankes, H.
Barclay, C.
Barclay, David
Baring, A.
Bastard, E. P.
Batley, C. H.
Bell, M.
Bentinck, Lord G.
Bramston, T. G.
Bright, H.
Burrell, W.
Buxton, T. F.
Byng, George
Calthorpe, Hon. F.
Calvert, C.
Carter, J. B.
Chandos, Marq. of
Chaplin, C.
Clifton, Viscount
Clinton, F.
Cooper, R. B.
Corbett, Panton
Cust, Hon. E.
Cust, Hon. P. F.
Davidson, D.
Deering, Sir E.
Denison, W. J.
Dickinson, W.
Dottin, A. R.
Dowdeswell, J. E.
Drake, T. T.
Drake, W.
Duncombe, Hon. W.
Dundas, R. A.
East, Sir E. H.
Eastnor, Viscount
Egerton, W.
Encombe, Lord
Estcourt, T. H. S. B.
Fane, J.
Fellowes, W. H.
Foley, E. T.
Foley, J. H.
Freemantle, Sir T.
Fyler, T. B.
Gooch, Sir T.
Gordon, R.
Guise, Sir W.
Gurney, H.
Gye, F.
Heathcote, Sir W.
Hodgson, F.
Hodson, J. A.
Hoye, J. B.
Kerrison, Sir E.
Knox, Hon. —
Lennox, Lord J. G.
Lindsay, Colonel
Loch, John
Mackinnon, C.
Macqueen, J. P.
Malcolm, N.
Manners, Lord C.
Manners, Lord R.
Marjoribanks, S.
Martin, John
Mildmay, P. St. John
Monck, J. B.
Munday, F.
Northcote, H. S.
Norton, G. C.
Palmer, R.
Phillips, Sir R. B.
Pigot, Grenville
Poyntz, W. S.
Ramsbottom, J.
Rickford, W.
Rogers, E.
Rose, Rt. Hon. Sir G.
Rose, G.
Rowley, Sir W.
St. Paul, Sir Horace
Sadler, M. T.
Shelley, Sir J.
Sibthorp, Colonel
Sinclair, Hon. James
Smith, W.
Stanley, Lord
Stanley, Hon. E. G.
Strutt, J. H.
Thompson, Ald.
Trant, W. H.
Vyvyan, Sir R.
Webb, E.
Wemyss, James
Wetherell, Sir C.
Whitbread, S. C.
Wigram, W.
Williams, T. P.
Wilson, Colonel
Wodehouse, E.
Wood, Alderman
Wyndham, W.

TELLERS.

Knatchbull, Sir E.
Burrell, Sir C.

PAIRED OFF.

Peach, N.
Tynte, C. K.
Whitbread, W. H.

HOUSE OF LORDS,

Tuesday, June 22.

MINUTES.] Petitions presented. For the Abolition of the Punishment of Death in cases of Forgery, by Lord KING, from Dissenters at Northampton:—By Viscount LORTON, from Dissenters at Uxbridge; from Cheltenham, and Croydon:—By the Marquis of LONDONDERRY, from Churchmen at Uxbridge:—By Viscount GODERICH, from Stockport:—By Viscount CLIFDEN, from Dissenters at Bury-street, St. Mary Axe:—By the Marquis of CHOLMONDELEY, from Bridgewater and Nantwich:—By Lord MELBOURNE, from Dissenters at Bartholomew-street, Exeter, and from the Society of Friends at Leeds:—By Lord CALTHORPE, from Colchester. Against the Vestry Act (Ireland), by Viscount LORTON, from the Roman Catholics of Carlow.

Returns ordered. On the Motion of the Duke of RICHMOND, account of Wool and Woollen Rags, imported between the years 1828 and 1830.

FORGERY.] The *Marquis of Lansdown* begged leave to call the attention of their Lordships, before he moved the Order of the Day for the second reading of the Forgery Bill, to a Petition which he held in his hand, signed by the Bankers of 214 cities and towns in the empire. The number of signatures was upwards of 700, so that it might be taken as the petition of the great body of persons for whose especial protection severe laws against forgery had been enacted. They all concurred in the opinion that their property would be more effectually secured by making the law less severe, and their opinions ought to have much weight with their Lordships.

Petition read and ordered to lie on the Table. It was precisely the same as the petition presented by Mr. Brougham in the House of Commons, on May 24.*

The noble Marquis then proceeded to the following effect: — My Lords, in moving the second reading of this Bill, however anxious I may be, not to abuse the patience of your Lordships, I should ill discharge the duty which I owe to this House and to the public, in venturing to call attention to this measure, and asking your Lordships to allow its second reading, if I did not state the grounds on which (after the most anxious consideration on my part), I presume to claim your notice. I am anxious to call your attention to the circumstances under which this Bill is brought before you, because, I believe that on a fair consideration of these circumstances, as well as on the merits of the Bill itself, your Lordships will be disposed to deal with it in the manner which I shall venture to propose. This Bill will undoubtedly effect a great alteration in the law of England; a law which, for the last one hundred years has been progressively adding to the amount of capital punishments. As your Lordships are probably aware it is little more than 120 years ago since the crime of forgery was made punishable with death; for it was shortly after the Revolution that the first Statute to that effect was enacted. The punishment was at first confined to the forgery of the paper of the Bank of England. In the year 1728, however, a large addition was made to the amount of capital punishments, by extending the provisions of that law to all securities and transferable money-papers whatever. From that period, many years have never elapsed without adding to what I must call a most sanguinary code. Each year, as the revenue progressively advanced, every department of the public service teemed with annual legislation on the subject. Each department, or the head clerk of each department, had his suggestions to make; and the consequence of this has been, that there are now about 120 Statutes against forgery on the Books, and out of these, upwards of sixty inflict the penalty of death. To give your Lordships some idea (though it is not my intention to enumerate all these Statutes) of the extent to which this has been carried, and to which a willing, or rather a careless Legislature has lent its assistance, I might state, as a curious instance, that even the forging of what they call at the Admiralty, Mediterranean Papers, by which persons seek to protect themselves against the plunder and piracy of the Barbary Powers, was made subject to the penalty of death. I will not pain your Lordships by mentioning all the branches of this defective legislation; but such as are desirous of making themselves acquainted in detail with what must ever remain in the pages of history a curious monument of prurient legislation, I beg to refer to a Report communicated to this House from the other House of Parliament: I mean the Report on the Criminal Law in 1824; in which will be found thirty-eight folio pages taken up with a simple enumeration, and nothing beyond, of all the Statutes then in existence against forgery. This being the state of the question—and the Statutes that exist are a sea of confusion through which not even the most skilful lawyers can dive to collect a definite notion of the principles on which the enactments have been made — this, I say, being the state of the question, it is impossible that any individual, having his mind turned to the improvement of the criminal law of this country, should not feel anxious to effect a reformation in respect to a subject so important at once to the interests of the commercial part of the community, and the administration of justice; and I can have no doubt that the right hon. Baronet who now presides over the Home Department (and who has attended to those subjects in a manner so honourable to himself, and so beneficial to the public for a considerable length of time) had his mind very early directed to the state of these laws. For myself, I can say, that during the short time I presided over the Home Department, I called on all the public offices to draw up a digest of the laws connected with forgery, with a view to effect a consolidation of them, reserving for subsequent consideration that still more important alteration which is now presented to your Lordships in this Bill. The right hon. Baronet to whom I have already alluded was the originator of the measure which is now brought before your Lordships, and it presents, as moulded by him, a most important and beneficial change in the law of the country, by the simplicity which it will be the means of introducing into that law; or, in other words, by adopting the principle of consolidating under one head every thing which has regard to this peculiar subject; by which means every one will be enabled to see to what species of offence the penalty of death is attached. But it is my duty to state to your Lordships, that this Bill comes now recommended to your attention with material alterations, extending far beyond anything that was contemplated by those who were its original authors. Of course very little is necessary to induce your Lordships to adopt that general principle of the measure which goes to simplify the law on the subject, and bring it back from that mass of enactments which has hitherto disfigured the question, so as to define the principle on which the law has awarded the last and severest punishment which it is in the power of man to inflict. But while I am aware that there is a great difference of opinion with regard to the degree to which this mitigation should extend, and that it has been carried in this Bill to an extent which will, perhaps, meet with considerable opposition, I feel that it imposes on me the duty of observing at this stage of the Bill, that after the best consideration I have been able to give to the subject, I think it right to propose to your Lordships to adopt the Bill in its present shape, and to the extent to which I have already alluded. I will, however, beg leave here to say, that in urging your Lordships to adopt this extensive abolition of the punishment of death, I do not do it from entertaining any of that feeling which I know is prevalent among many respectable persons in this country, that it ought not to be in the power of any Legislature to annex that punishment to any crime short of murder. For myself, I entertain no such opinion, for I am convinced that it is within the scope and right of society to inflict that punishment in defence of itself and its property. But at the same time, before this last punishment is inflicted, a necessity for it should be thoroughly made out; and it ought to be a matter of grave consideration with the Legislature, which is the most effectual mode of preventing any particular crime; and whether it may not, by severity, outstrip the heinousness of crime so far as to defeat the object in view; remembering always, that there is a point in the race between the protection of property and the punishment of crime when the severity of a penalty becomes the security of the criminal. I have, then, to ask your Lordships, whether we ought not to consider the infliction of penalties, under these circumstances only; and whether, by making the punishment more than commensurate to the crime, we are not lessening the only effectual means to reduce crime. The uncertainty of executions is another point worthy of our consideration; for, without pretending to lay bare the bosom of the criminal, and to analyze what his motives may have been, I think that if there is any one circumstance which, without reasoning too hypothetically, we may be certain of, it is, that the first thing which a man who is meditating the commission of a crime does, is to consider whether it will be possible for him altogether to escape. That, certainly, is the first consideration which weighs with him, it is the point which will influence him most in what he does. How far this penalty of death is commensurate with the crime I will not detain your Lordships to consider. I am willing to admit that, in the artificial state of society in which we live, the crime of forgery becomes of enormous importance to the community; but, for this very reason, it ought to be considered by your Lordships, whether so heavy a penalty is the most efficacious mode, either of reducing crime in general, or preventing that one in particular which is the subject of the present Bill. But on this occasion we have not to reason theoretically; for we are able to decide the question practically, from facts furnished by experience, and that experience within the range of our own recent legislation. I have, with a view not only to influence your Lordships, but to make up my own mind, looked into the Returns which have been presented at different times to this House, and to the House of Commons, with regard to the effects of the Criminal Law. With respect to the crime of forgery, it does happen that there is a different mode of administering the law in London and Middlesex, from the rest of England and Wales; for the proportion of executions in London and Middlesex has been considerably greater than in the rest of the country. If the penalty of death were necessary to deter persons from this crime, you would find that towards the end of this period, it would have had the effect of reducing it to a greater degree in London and Middlesex than in the rest of England and Wales. I am aware that crimes, such as forgery, must exist to a greater extent in the capital, the great seat of our money transactions, than in the country; but what I am going to do is, to compare London and Middlesex at one period, with London and Middlesex at another; and England and Wales at one period, with England and Wales at another. In the last seven years there have been in England and Wales 383 committals, and twenty-four executions, for forgery; and in London and Middlesex there have been, in the same period, eighty committals, forty convictions, and fifteen executions; so that the executions have been in proportion much greater in the latter than the former. But, notwithstanding the much larger proportion of executions, the commission of the crime has considerably increased in London and Middlesex; whereas in England and Wales it has scarcely increased at all. With respect to Ireland, your Lordships will find that the case is still stronger; for in that country, during the last seven years, there have been no executions whatever for forgery: and yet, although there has been no execution, and although the paper circulation of Ireland is very extensive and consequently temptation is very great there, I do not find any increase in the crime. On the contrary, there is a diminution; for in 1823 the number of persons charged with this offence amounted to fifty three, and in 1829, the number was only forty-one. But it is not on the case of forgery alone that we are able or required to discuss the effect produced by the penalty of death. There have been two material changes made within the range of our own legislation: in one of these instances the penalty of death has been withdrawn; and in the other the penalty of transportation, not previously existing, has been enacted: and I beg to call on your Lordships to look at the effects produced in both these cases. In the first case (I mean that which has reference to the law of Excise) we have the evidence of the most important witness on the subject —a gentleman who may have been known (for he is now dead) to many of your Lordships.—I allude to Mr. Carr, the late Solicitor of Excise. Mr. Carr, in his evidence, stated, that the act of counterfeiting stamps in certain cases of Excise was, before 1806, only liable to a fine of 500*l.*; but in that year it was made a capital offence, and what was the consequence? From the year 1794 to 1806 there were nineteen convictions out of twenty-one prosecutions, while from the year 1806 to 1818 there were only three convictions out of nine prosecutions; so that, presuming that the later prosecutions were instituted on as good grounds as the former ones, the infliction of this heavier penalty had the effect of diminishing the proportional number of convictions. Now with respect to the case of withdrawing the punishment of death, I beg your Lordships to see how that stands. The offence that I allude to is that of stealing in bleaching-houses. That has ceased to be a capital crime, but there has been no increase in its commission in consequence. The returns from Lancaster, in fact, show that there have been fewer crimes of that species, committed; and Mr. Bourne, one of the Clerks of the Peace in Ulster, has stated, that for the first five years before the alteration of the punishment, out of sixty-one commit tals, there were only three convictions while for the first five years after the alteration, out of thirty-seven committals there were seventeen convictions; so that the efficient administration of the law has been assisted by a reduction of the punishment. In the returns relating to the subject of forgery, the proof is still more convincing; for it appears that during nine years, ending in 1828, out of 708 capital charges, there were 334 acquittals; whereas, with respect to minor charges, out of 558, only fifty-seven escaped punishment. Your Lordships will not suppose that the capital charges were brought forward on lighter grounds or less certain proofs than the minor offences, and I therefore ask, how this circumstance can be interpreted otherwise than that in the one case the law was efficiently administered, and that in the other there was an indisposition somewhere to carry the law into execution. It is therefore made as it were non-existing by its severity. The facts which I have already stated to your Lordships are in concurrence with all the testimony which I have been able to collect on the subject. I have likewise with me, though I shall not detain your Lordships by reading it, an extensive correspondence with bankers and merchants, which enumerates case on case in which parties have been deterred from prosecuting, and individuals left to enjoy their dishonest gains with impunity, from a reluctance to proceed against them capitally. But let it not be said, that this result affects only the case of those individuals who thus abstain from prosecuting, and are thus justly deprived of redress, because a moment's consideration will satisfy your Lordships that the effects of that reluctance to prosecute must extend the mischief in a wider circle, and expose whole masses of individuals to the depredations of those who, having found impunity in the first instance, continue their course, and make others their prey. I can quote to your Lordships the case of a father, who being induced not to prosecute, the criminal next proceeded to commit the same depredation on the son, and he also declining to prosecute, the offender was finally hanged for committing a forgery on another individual. Indeed, many such cases might be advanced, to prove that the present severity of the punishment has been the cause of perfecting offenders in the ways of guilt. Another evidence, to which I must appeal, is to be drawn from the number of petitions now lying on your Lordships' Table; and inasmuch as they are chiefly applicable to one branch of the Bill—I mean that of negociable securities—and come from the persons most interested in them, I think they must have great weight with your Lordships. Among those petitions is one to which I particularly beg leave to direct the attention of your Lordships, as it comes from three of the first dealers in negociable securities in the city of London. In order that the thing may be fully understood, I will name the individuals—they are Mr. Sanderson, Mr. Gurney, and Mr. Rothschild. These names, your Lordships will see, are the names of men influenced by no considerations connected with the principles of any religious sect or party, for one of them is a member of the Church of England, another a Dissenter, and the third is a Jew—being influenced by no motives except those which have a reference to, and arise out of, a knowledge of their own affairs. They are men peculiarly engaged with negociable securities, exercising the occupation of bill-brokers—a class of persons who discount bills, and then carry them to bankers for the purpose of obtaining cash at a lower rate of interest than they themselves receive—the bankers deriving the advantage of their security. They are therefore emphatically dealers in securities—dealers in responsibility. No body of men in the whole country has a deeper interest in preventing the crime of forgery—no body of men has better means than they have, of making themselves acquainted with the best and most effectual mode of accomplishing that object. One of those very men passes through his hands, annually, no less than between twenty and thirty millions, in negociable securities, and the gross amount which annually passes through the hands of the three must exceed sixty millions. On a question of this sort, there cannot be higher authority. I had also the honour of presenting to this House a petition signed by a large proportion of the Country Bankers of the United Kingdom. That, too, is a petition highly deserving of respect and attention, and no doubt it is an authority to which great weight will be justly attached, for they are, like the three individuals I have mentioned, men peculiarly conversant with the subject, indeed the most so of any men in society. The last consideration to which I shall direct your Lordships' attention is, whether under the present Bill the penalty of death can be inflicted at all for the crime, or rather whether it will be inflicted. I have stated to you the scruples which in every religious sect, and in every class of society, exist against putting this penalty into execution; and I have stated to you also the opinions entertained with respect to prosecutions under the law as it at present stands, and the consequence, my Lords, is, that impunity is secured to the delinquent from the effect of these scruples, which are altogether the offspring of the severity of the law. The objections, however, to this punishment do not rest upon the authority of persons who alone are practically conversant with the nature and operation of this crime, or men having to do in all the transactions of their life with negociable securities, and with nothing else, but we have the authority of one of the greatest lawyers, and one of the ablest Judges that ever sat upon the Bench, I mean Sir William Grant. It was affirmed by him, that in cases of forgery there was always an actual conspiracy between the prosecutors, witnesses, Counsel, Judges, and even the responsible advisers of the Crown itself, to defeat the purposes of the law, and prevent its ultimate execution. If that can be proved to exist in the case of any particular law, and that it can be shown in this individual case is indisputable, am I not warranted in assuming that the effect of such sentiments will be to frustrate the severe enactment, and render its operation altogether nugatory. If then these scruples exist in the minds of some men, and if, under the influence of these scruples, they defeat the objects of the present measure, is it not infinitely better that we should try the experiment of a different penalty rather than induce men, in the embarrassment which results from a sense of the duty which on the one hand they owe to a fellow creature, and on the other to society, is it not infinitely better, my Lords, that the Legislature should abolish a sanguinary punishment, than induce them to pursue a line of conduct that amounts to nothing less than a practical abrogation of a particular Statute. Besides, we should remember that the knowledge that this penalty has been twice rejected by a majority of the House of Commons cannot but have the effect of overcoming any sense of duty that men may entertain respecting the obligation to prosecute offenders exposed to that penalty. I will not say whether, in pursuing this line of conduct, they act with propriety or not; but I will say—that in abstaining to prosecute in cases of forgery, they do nothing which will cause them to suffer in the estimation of mankind. Now, my Lords, if this penalty have the effect of scaring prosecutors, but not of scaring criminals—if it have the effect of clogging the operations of law to a great degree in all that relates to this offence—if it be not only likely to do that for the future, but can be shewn to have done it hitherto—if, as I affirm, this be the case, is it not better, by yielding to public opinion, to call into life that activity and disposition to pursue, with diligence and zeal, delinquents of the class of whom I have been speaking, than by a resistance to the general feeling, prevent the due execution of the laws. After the best consideration which I have been able to give this subject, I am persuaded that the best course your Lordships can adopt, will be to read this Bill a second time, and impart to it such improvements in the committee, as, under circumstances, it is capable of; I am perfectly ready to admit that this is very much a matter of experiment, and should it be tried and fail, there can be little doubt that a very different disposition will be excited throughout the country from that which at present prevails. Do not let it be supposed that I am so confident with respect to this experiment as to suppose that there exists no chance of its failure; but my opinion of the great prospect of its success leads me to the conviction that we ought to try the experiment, and that, in present circumstances we should ill discharge our duty did we not try it. I am not so confident as to ask you to make this a permanent measure; if you wish, make it merely temporary—for five years, or for any other period you may think proper. I shall go into the committee prepared to make that alteration. If in the committee we agree to make it temporary, that does nothing to affect the principle of the Bill; and if at the end of five years it be found an advantageous measure, there will be no difficulty in renewing it; whereas if it fail, there will probably be a general disposition to procure its re-enactment, and a disposition arising from a conviction of its necessity, to carry it into rigid execution. Into all these considerations I shall most readily enter, should this Bill reach a committee. There is another clause in the Bill which may in the committee require to be considered — I mean that for secondary punishments. I do believe, that more effect will be produced by convicts being confined in the hulks at home, or being sent to the island of Bermuda, than by other punishments; for deep and permanent disgrace is more likely to deter minds of the cast of those which usually commit forgery, than men of any other stamp; for they are generally persons who desire to raise themselves to a situation of life to which they are not naturally entitled, and to whom, therefore, the punishment of disgrace is peculiarly formidable. For these reasons, then, I hope that your Lordships will give this Bill the advantage of a second reading. I hope you will give that security against the commission of crime which is next in influence and value to an improved state of society—I mean the certainty to prosecutors of seeing punishment inflicted, and the certainty to criminals that they cannot escape the natural consequences of their crimes. I hope, too, that you will pay that respect to a Bill coming from the House of Commons, of allowing it to be read a second time.

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* See Parl. Deb. Vol. xxiv. p. 1014.

The Earl of *Winchilsea* said, that the noble Marquis had truly described the Bill under consideration as an experiment; but he would add, that it was an experiment which, in justice to their Lordships' character, and from a due regard to the interest of the country, they were bound to try. He had resolved upon giving the measure his most cordial and hearty support. He did so, not from being attracted by its novelty—not from any love of change—for he could conscientiously say that he never was influenced in support of any measure by any other considerations than a sincere conviction that they were calculated to promote the public good. He believed he should stand acquitted in their Lordships' opinion of any undue predilection for novelty or change, merely as such; and it was with regret he remembered that, not long since, changes had been made that tended to results which, he feared, this country would long have reason to deplore. With respect to the particular Bill then before them, he begged to say that he had serious doubts whether the Legislature of any Christian country could find itself justified in inflicting the punishment of death for such a crime as forgery. He saw no warrant for it in Scripture, nor even for other capital punishments inflicted under our criminal code. He thought that capital punishments ought to be confined to murder, and to such instances of personal violence as might lead to the loss of reason or of bodily health, and to cases of rape. He felt called upon to state, that in the view which he took of this question he was not influenced by any party considerations whatever—indeed, so far from any feelings connected with party was the discussion of such a bill, that he should not have deemed it necessary to make this declaration, had he not heard that a cry of faction had been raised, and an attempt made to impute factious motives to the party with which he was politically linked. Men might be called factious when they voted against the Minister from the mere desire of opposition, and not from any conviction of the evil tendency of his measures. He begged leave to vindicate himself and the friends with whom he acted, who were men of the highest honour and integrity, from the imputation of factious opposition; and he defied any man to show, that he and they were not influenced in their votes by the most conscientious motives. He was opposed to his Majesty's Government, because he thought that Government composed of men unqualified for the situations which they filled, and because he thought their possession of power inconsistent with the security of the State; therefore, every opposition which he gave the Government in that House arose solely from a conscientious conviction that their measures did not tend to the good of the country. But, on a question like the present, he hoped the House would do him the justice to believe, that no feeling of opposition influenced him one way or the other. He entreated the House to remember that the infliction of death in such cases had the effect of rendering Juries reluctant to find verdicts of guilty, and deterred prosecutors from preferring indictments. Though the Returns before Parliament showed how numerous were the cases of prosecution, yet they proved nothing as to the number of cases in which the crime had been committed and prosecution not instituted because the injured party feared that the blood even of the guilty might be laid at his door. On those grounds, and simply on them, the measure for abolishing capital punishments should receive his cordial, though humble support.

The Duke of *Richmond* fully concurred in the opinion that the present question should be discussed altogether apart from any feeling of party. As to his own opinion on the expediency of abolishing capital punishments for forgery, he confessed he found it much strengthened by learning that a majority of the House of Commons held the same sentiments; that a majority of that House was convinced that capital punishments should be abolished in cases of forgery, amongst other reasons, for the purpose of rendering prosecutors less unwilling to indict—Juries and Judges less unwilling to convict, and also for the purpose of relieving the Secretary of State for the Home Department from the distressing situations in which he of necessity often found himself. On these grounds, then, he would vote for the clauses as they then stood; but in doing so, he certainly could not, like his noble friend who spoke last, say that he was influenced by any religious scruples. He thought that forgery, coining, horse-stealing, sheep-stealing, and other offences of a like nature, stood exactly upon the same footing. He felt no particular commiseration with the man who committed forgery, for the persons guilty of that offence were, for the most part, persons of tolerable education, and of a rank of life which secured the possession of a certain quantity of knowledge; they were therefore the less to be excused for the commission of a crime that assumed so dangerous a character in a commercial country like England. With such considerations in his mind, he had the less hesitation in voting for the Bill in its present form. No doubt he agreed to it as an experiment, but then, as one well worthy of being tried. He would not further detain their Lordships than to observe, that he thought the secondary punishment, whatever it might be, ought to be a real punishment.

The *Lord Chancellor* said: I shall not oppose the second reading of this Bill, but I should not deal fairly or properly with your Lordships if I did not frankly state, that to all the clauses, in their present shape I cannot give my vote. In the committee I shall call your Lordships' attention to those clauses, and I shall take that opportunity of stating the reasons which lead me to consider that those clauses cannot with safety be adopted. I thank the noble Marquis for the fairness and candour with which he has brought this subject under your Lordships' consideration, and I agree with the noble Duke on the cross-bench, and the noble Earl, that a subject so serious and important should not be discussed with any reference to party feeling; it is one of the most important discussions in which we could be engaged, and I fully concur with both the noble Lords who adverted to this topic, that it could only be discussed advantageously in one tone, and with only one object in view; namely, to provide for the security of the country, and to prevent the offence, so far as its prevention can be reconciled with the dictates of humanity. I hope I need not assure your Lordships that I would not advocate the infliction of capital punishment in any case, unless upon due consideration I was convinced of its necessity;—neither am I disposed to contend that that punishment should be directed against the crime of forgery generally, but only against forgery in particular cases. I shall not proceed further with the discussion at present. In the committee I shall be prepared to go into the matter at greater length, and give my reasons for objecting to the Bill in its present shape.

The Bill read a second time, to be committed on Monday next.

HOUSE OF LORDS,

Wednesday, June 23.

MINUTES.] The LORD CHANCELLOR, the Earl of ROSSLYN, and the Earl of SHAFTESBURY, as his Majesty's Commissioners, gave the Royal Assent to the Consolidated Fund Bill, the Militia Ballot Suspension Bill, and the Population Bill.

Petitions presented. For the Abolition of the Punishment of Death for Forgery, by the Earl of SHAFTESBURY, from Woodstock:—By Viscount LORTON, from Dissenters at Canterbury.

HOUSE OF COMMONS,

Wednesday, June 23.

MINUTES.] The LORD ADVOCATE brought in a Bill for establishing a general system of Police in the Burghs of Scotland. The Court of Session Bill was read a third time and passed.

Returns ordered. On the Motion of Mr. HUME, the number of persons employed as Watchmen under the old system, and under the New Police, and the expense to each Parish of both the old and the new system; the number of Ships and amount of Tonnage entered at each Port where British Consular Salaried Agents are employed in 1828:—On the Motion of Mr. H. GRATTAN, Cases in which Legal Proceedings have been taken against the Treasurers of Grand Juries (Ireland).

Petitions presented. Against the Stamp Duties Assimilation (Ireland) by Mr. KAVANAGH, from Castle Comar. In favour of the Labourers' Wages Bill, by Mr. LITTLETON, from Cotton Spinners at Glasgow. In favour of the Northern Roads Bill, by Mr. HUME, from the Magistrates and Town Council of Arbroath. For a Protecting Duty on foreign Lead Ore, by Mr. PENDARVIS, from Workers of Lead Mines in Cornwall.

PRIVILEGES OF THE COMMONS.] The *Speaker*, on the House assembling, informed the House that the Bill for the Abolition of Fees had been returned from the Lords, with considerable amendments. He had carefully looked over these amendments, and had no doubt that they were such as could not be admitted. At the same time he recommended the House, as had been done on former occasions, that these amendments should be printed before they were taken into consideration. He recommended this, not as doubting the inadmissibility of the amendments, but in order to make the House fully aware of their nature. They were so voluminous, and the Bill was so small, that he thought this necessary.

On the motion of Mr. Hume, the Bill, with the amendments, was ordered to be printed.

TREASURY DISPENSING POWER.] Sir *J. Graham*, at the request of his right hon. friend, the member for Waterford, wished to ask the noble Lord, the Secretary for Ireland, if any of the money lent to the Corporation of Londonderry in 1814, to build a bridge over the Boyne, had ever been repaid? He observed, that the Act of Parliament, authorising the loan, was very strict in requiring its re-payment, and pointed out the mode by which the tolls were to be sequestered if the money was not paid. He wished to know if any means had been taken to enforce the Act of Parliament, and if not, by what authority its operations had been suspended?

Lord *F. L. Gower* explained, that the Act of Parliament had been suspended by a Treasury Minute of 1819, and the present conduct of the Government, in not enforcing payment, was a continuation of that Minute. He would move for some returns that would place the matter before the House in all its bearings.

Sir *G. Hill* defended the conduct of the Corporation of Londonderry. The funds had been found inadequate to keep the bridge in repair, and repay all the debts; and therefore the Corporation had petitioned the Treasury to be released from the debt, to which the Treasury had consented, on account of the great utility of the communication kept up by the bridge.

Mr. *Hume* suggested that a return should be laid on the Table to shew what the income of the Corporation amounted to, and how it was expended.

Several Returns to elucidate this subject were ordered.

LABOURERS' WAGES BILL.] Mr. Littleton moved that the report on this Bill be brought up,—agreed to;—that the Amendments be read a second time.

Mr. *Hume* objected to the principle of the Bill, and upon that there had yet been no discussion, or even an opportunity of discussion, although it was three months since his hon. friend introduced the subject, and made a long and astounding statement, to which there had been no opportunity of making any reply. He did not mean to go into the details of the measure, but as to the principle, he must say, that he did not expect that such a Bill would have been introduced, or seriously entertained, by any Member of Parliament, but particularly by his hon. friend, whose views respecting commerce were generally so much in accord with his own. If he were surprised at his hon. friend's departure from what he conceived correct principles, he should be still more surprised to learn that the Government meant to support a Bill so contrary in principle to all the measures lately adopted for removing shackles from the trade of the country. As the House might not be aware of the state of the laws with regard to masters and workmen, he would say first a few words upon that point. The object of this Bill was stated in the second clause; and as it was against the principle he contended, for if that were admitted the hon. Gentleman might carry it into effect by what details he pleased, he would take the liberty of reading the second clause to the House. "Be it further enacted, that from and after the commencement of this Act, if any such artificer, workman, or labourer, as above-mentioned, or any other person on his behalf, shall make or enter into any agreement, understanding, or stipulation with his master or employer, or with any person acting on the part of his master or employer, or with the clerk, bailiff, foreman, manager, or superintendant of any such master or employer, as to the place where, the time when, the manner how, or the person or persons with whom, all or any part of any wages or other reward for labour, then being or afterwards to become due, or any money or bank-note or notes, then being or afterwards to become due in respect of wages from the said master or employer to such artificer, workman, or labourer as aforesaid, is or are to be expended or laid out, such agreement, understanding, or stipulation, shall be wholly void, and of no effect." The objection he made to this was the same as he made to all restrictive laws, which had ever been "more honoured in the breach than the observance," that the master and workmen ought to be at liberty to come to what agreement they thought proper respecting the wages one is to give and the other to receive, and respecting the manner and the time of paying them. If this Bill, however, should become a law, no master or workman would be able to make an agreement for wages, except money down. The consequence of this interference would be, that in manufacturing districts, masters would frequently not employ men at all whom they otherwise might have employed. What could be more mischievous than a law that prevented a free agent, anxious and willing to work for meal, for malt, for meat, or for money, from taking work and obtaining food. Such an interference was against all the principles of free trade recognized by that House, and actually contrary to laws already existing. Previous to 1825, it was not competent for masters or men to meet together and settle the wages that should be paid for labour—combination, as it was called, being then a crime. At that time, however, an Act passed restraining the use of force and violence for obtaining wages, but, in other respects, it allowed workmen to enter into any agreement they might think fit with respect to their wages. The hon. Member who introduced this Bill endeavoured to make out that the workmen were not free agents—that they had not the power of bargaining and making the best agreement they could for themselves, he considering them as slaves to their masters, attached to a particular place, and bound to a particular service. If he could make out that proposition, it would be necessary that workmen should receive protection; but the House underrated the artificers of this country if it supposed that they were not able to take care of themselves; and he questioned whether their constitutional knowledge of their own rights was not equal to that of most of the Members of the House. By the 4th Geo. 4th, all litigation and delay between masters and men were suppressed or provided for; and if the workman refused to perform an agreement he had entered into, he was summoned before a Justice of the Peace, who instantly determined the matter pursuant to a form laid down for that purpose. Could the law be placed upon a better footing than that by which every workman in the country was enabled to make what agreement he pleased, with a summary process to settle all disputes that might occur concerning agreements. If hon. Members looked at the Bill, they must acknowledge that they had not met with any thing so absurd for a long time. It was an attempt to prevent a workman, whatever his situation might be, from getting employment in the best manner he was able. If he were starving, and without clothes, and should say to a manufacturer, "Will you employ me?" and the manufacturer should say, "Yes, I will give you food, and clothing, and lodging, I will lend you my credit, to a certain extent, to get other things, but I have no money; there is no money to be got here since the banks were shut up, and if there be any balance betwixt us at the end, you shall have cash." If such an offer were to be made, this Bill would prevent the workman from receiving the benefit of such an arrangement. During a stagnation of trade, nothing was more likely—a large portion of our manufacturers having their warehouses then loaded with goods—and precisely when masters and men both most required relief, this new Act would come into operation, and render masters liable to prosecution who should employ a workman without having money in their pocket to pay him; his hon. friend, in fact, found the principle so bad that he was obliged to make numerous exceptions. There was a clause providing that the Act should not extend "to any domestic servant, or servants in husbandry, or to any artificer, workman, or labourer, or other person engaged or employed in any manufacture, trade, or occupation," extending to a long list of exceptions, which would include the greater portion of the population engaged in manufactures. The principle was opposed to what the right hon. Secretary of State for the Home Department said, when speaking of the Irish poor, viz. that all restrictions which prevented a man from carrying his labour to what he considered the best market were injudicious, and the exceptions to the principle laid down were so numerous as to make the Bill a most bungling piece of legislation, and directly contrary to the simplifying process adopted by the right hon. Gentleman. The Bill was an attempt to prevent workmen from getting what they could for their labour, or, in the words of the right hon. Secretary, from going to market as they pleased with it. Could the right hon. Secretary, therefore, be so injudicious, so unprincipled—he meant in the sense of abandoning the commercial principle he had laid down—as to sanction this Bill. There were, no doubt, evils existing at the present moment in different parts of our manufacturing districts, but the author of this measure mistook the effect for the cause. It was not the truck-system which occasioned want of employment; but the want of full occupation, which obliged men to be satisfied with half a loaf rather than no bread. The hon. Member, in opening this subject, said that the workmen were no longer free agents; but against actual violence or threats they were effectually protected by the Act, to which he had already alluded, for repealing the Combination-laws. His hon. friend read a number of letters in support of his view of the case; but they appeared to come principally from bankers, who formerly found it very convenient to circulate their paper, who now grumble because their trade is cut up, but who would not find their situation improved by this most absurd law. With respect to the men not being free agents, he would ask his hon. friend, whether the fact of their combining for increased wages did not prove that they were free agents? But supposing that the times were bad, what would be the effect of his Bill? Suppose, said the hon. Member, that I, as a manufacturer, employ twenty men, giving them ready money wages as long as I can sell my wares; a time comes, however, when I cannot sell them—my storehouses are filled, and I have no ready money; but in hopes that matters will come round in four or five months, I am willing to keep my men employed, and although I have no money, I have credit, I can command beef and bread, and all the other necessaries of life, and with them I can supply my workmen, who would thus be prevented from coming on the poor-rates. Others in the same situation would do the like; but if this Bill pass, that moment I and other manufacturers whose hands are full of goods, would necessarily turn all our workmen adrift. Some sixteen Acts of Parliament had been passed during the last two or three centuries, to prevent the payment of wages in goods, but they had all proved unavailing. The hon. Gentleman got such an Act passed in 1820, against which Mr. Ricardo argued from the very place in which he was then standing, and by which heavy penalties were imposed upon masters so paying their men in goods, and yet they did so pay them, although some of the men whom they had saved from starving turned round and prosecuted them. When his hon. friend brought in his former bill, he said that the reason why previous Acts had not succeeded was, that the penalty was not severe enough, and he proposed to give it entirely to the informer. That bill was to last for two years, and if at the end of that time it had been found to succeed, a perpetual law of the same kind would have been passed. But at the end of the two years, his hon. friend admitted that his law had not checked the practice he wished to prevent, and indeed had had no more effect than if it had never been passed at all. He hoped that the right hon. the Secretary for the Home Department would consider well the effect of this Bill, before he allowed it to pass into a law, for it might seriously affect the peace of the country. The right hon. Baronet knew that in several districts the lives of persons had been endangered by laws such as that. The proper course would have been to repeal all the existing laws upon this subject, and to have left all truck-transactions as free as any other. There were thousands, and tens of thousands of men supported by the plan this Bill was to put down; and the right hon. Secretary and his hon. friend must be held responsible for the distress, the animosities, and the breaches of the peace which the enforcement of such a measure could not fail to occasion. Three months ago, when his hon. friend obtained leave to bring in this Bill, he assigned as an argument in its favour that sixty or seventy petitions had been presented for it, and but few against it. What was the reason of that? It was, that masters were unwilling to put themselves forward against it. He remembered that when the Frame-work Knitters bill was introduced into that House, it reached its last stage without opposition, or complaint. He had then been a very few days, only, a Member of the House, but the bill appeared to him so absurd in its nature, that he opposed it and procured that it should be referred to a committee; that was on a Friday, and no sooner was it known throughout the country that one Member was willing to oppose the bill, than by Monday he had masters from all parts calling upon him to state the facts of the case. They said that they were afraid of petitioning against the bill, because the men were bent upon having it passed, and had a deputation in London to urge it through the House; but since the opposition had not originated with them, they were ready to join with him in preventing its further progress. The bill was examined in a Committee, and all the objectionable clauses struck out. He mentioned this fact to show that the absence of petitions was no criterion as to the feeling of masters concerning this Bill. When the hon. Member introduced it, he read a great number of letters in support of his opinions; and in imitation of that example he would read one of the many letters he had received. The letter stated that one petition presented to the House was carried to two factories to be signed, but when the object of it was understood, it was rejected by every individual; and it was then carried to the school, and every schoolboy was compelled to put his name to it. In 1815 there were in the town from which it came forty clothiers, twenty-nine of whom had since become bankrupts; and the few who remained were only enabled to keep their workmen employed by paying them with goods. It also stated, that the beer-sellers considered the truck-system as an invasion on their profits, and that they had roused and excited the people to sign petitions against it. This was the way probably in which nine-tenths of the petitions in favour of the Bill had been got up; and if the Legislature insisted on the masters paying in money, the effect would be to throw numbers of men now employed on the parish. The effect of the truck-system was, to give the master the profits of the retail dealers, amounting perhaps, as stated by his hon. friend, in some instances to as much as twenty or twenty-five per cent. So far from this being objectionable it tended to improve the situation of the labourer. The system had, in some instances, been attended with great and undeniable benefit. Sir Thomas Barnard, when he laudably proposed to improve the condition of the working classes, suggested that the workmen should be secured from the impositions of the retail dealer, and referred to an instance in a manufactory then well known, where the experiment had succeeded. A store was opened, where the workmen purchased all their provisions at the market price, and were protected from imposition. The same system had been adopted in different parts of the country. He had received two communications on the subject from Glasgow, from gentlemen of great respectability, and who were at the head of large manufactories in that town. One of them, Mr. Ewins, was the proprietor of an iron foundry, where 2,000 men were employed. He stated, and his foreman also stated, in a manner which appeared to his mind unanswerable, that if this measure passed, it would be impossible to make up to the individuals employed in this concern the loss they would sustain. So far from being a relief, it would be a great evil to the workmen, many of whom would, in consequence, suffer from want of employment. The complaint was, that the master paid partly in goods and partly in money,—that, instead of getting the whole of his wages in money, the workman received a quantity of meal, for which he paid 14*d.* or 15*d.* a peck, when he might buy it at market for 12*d.* or 13*d.* What evil was there in that? The workman made his calculations in proportion as he was charged above the market price for his meal; he knew that he received less for his work, and he was willing to accept it, because he also knew that he could not find employment elsewhere. Then, what was the alternative offered to the workman? He must either pay ten per cent more for his provisions, or have his wages lowered to that amount. Many of the masters might not be able to carry on their trade without this profit of ten per cent, and the small manufacturers would not be able to compete with the great capitalists. His hon. friend had produced a list of the prices at which goods were sold at a truck or tommy shop, and compared those prices with the marketprice. There was an advance, it appeared, in the prices of flour, tea, butter, and various other articles; but the whole resolved itself into this—that the master who adopted this system gained a profit of ten per cent. His hon. friend said that some of those masters who had established this system derived a profit from it of 7,000*l.* a-year. He did not know how this was to be prevented, nor was he convinced that it would be proper to prevent it. The House could not prevent it unless it returned to the old law that limited the means of speculation and employment, and said to one man, you must be of one trade and no other; and to a second, you must confine yourself to another trade. Was the Legislature to say that the worker in steel was not to open a grocer's shop, or that the ship-owner might not be a ship-chandler, or that the worker in iron, or gold, or copper, must not carry on any other trades? The principle was monstrous; and the House could never sanction it by giving its assent to this Bill? "Suppose that I and my hon. friend (said Mr. Hume) were both in the iron trade, and that during the war, when at full work, he employed 400 and myself 40 men. The peace comes,—prices are low,—the demand is dull. Who goes to the wall first? No doubt I must, the man with small capital. The trade I find cannot be carried on with advantage. My hon. friend finds this also. I am supposing the case of any two manufacturers, one with a large and the other a small capital. The trade is dull—there are scarcely any profits—yet still I do not like to give it up, for that would be ruin, and I hope that by keeping up the manufacture, a demand will arise, and that I shall again carry on the trade profitably. At length I find that I am losing two or three per cent, and I then call my workmen, and say, 'I am very sorry for it, but I must discharge you, for I find that I am losing by giving you employment.' The workmen say 'it is very hard on us, for we cannot get work elsewhere; other manufacturers are in the same state as you, and we must go to the parish.' Now to avert that, suppose I say to my workmen, 'If you are disposed to work with me, then you shall continue to do so, but instead of buying your corn, flour, or meal at the market, you must buy them from me at the market price.' The men are willing to do so; they will be benefitted, and I shall keep my works in existence; this law says, I and they shall do no such thing, and that, I say, is an injustice both to the master and the workman." Under this system he believed that the workmen were generally charged no more than the market price for their goods, and that his hon. friend had greatly over-stated the rate charged by the masters; but he would admit that the master charged ten per cent beyond the market price; was that a reason why we should put an end to their manufacture altogether? Was it not better that the master should charge ten per cent than that he should give no employment. Was that a sufficient reason why his hon. friend, coming from Staffordshire, and representing the great capitalists, should by this Bill destroy the small capitalists, who only existed by the system which this measure was intended to put an end to? The House might be assured that wherever this system existed, when it should be put down, monopoly would supply its place, and the workmen would then be in a worse state than at present. This was a serious question as connected with a general principle, and the adoption of this measure would lead to incalculable difficulties. There were two of the Members from Wales, who were prepared to state that the measure was likely to produce ruin in their districts, but as he did not see them, he concluded that they were not aware that the subject was to come on that evening. If, through the representations of his hon. friend, the Government was induced to sanction this measure, it must take on itself the responsibility of producing a violent interference with the wishes of the people. If this measure produced the evils which he anticipated, and whole districts were unemployed, as he feared they would be if the state of trade did not change, his hon. friend must bear all the blame. The interference of the Legislature in this case would only affect men of small capital; but if the principle were good, it ought to be extended to all branches of trade and manufacture. The man who dealt in woollens or cottons should not be allowed to be a dealer in meal or in sugars, whatever advantages engaging in those trades might give to him. This was contrary to all the recognized principles of trade, and the men who asked the Legislature to adopt it would be its first victims. What were the instances of injury which his hon. friend quoted? Why, that A B worked for C D, and was paid according to contract, partly in meal, and partly in money; and his hon. friend did not designate those cases properly when he spoke of them as acts of injustice and extortion. The workman submitted to this system knowingly and willingly, because he could do no better. Then it was said that the provisions were sometimes inferior—that bad flour had been sold by the truck-master, as if no bad flour ever came from the mill but what belonged to the truck-master. These arguments were most unfair, and unworthy of his hon. friend and of the cause he supported. His hon. friend said, "There are three classes of persons affected by this system, the workmen, the retail tradesmen, and the manufacturers." He admitted that the retail dealers were injured, but neither the workmen nor manufacturers were injured. There was no unfair advantage taken. The workman and the master were equally interested in evading the restrictions which prevented them making such contracts as they found advantageous. Where was the hardship on the workman? If he be ill-used by one master he went to another, and wherever labour was wanted, he sold his at as profitable a rate as he could obtain. It appeared to him, that the grounds of coercion and compulsion relied on by his hon. friend had failed in every point. The epithets he had applied to the truck-masters were most unjust. He said, "Will you permit 3,000 or 4,000 persons to make overgrown profits, to the destruction of the whole labouring classes? Will you permit A and B to ruin the whole alphabet by becoming retail dealers? His hon. friend did not see that it was for the interest of the men to permit the masters to become retailers? The circumstances of this case showed how cautiously charges of this kind ought to be brought forward, and how well the House should consider, before it adopted further proceedings. Great excitement and ill-will had been already created in the country. The petition presented to this House from Stoke-upon-Trent, was agreed to at a public meeting. An account of this meeting was published in the Wolverhampton Chronicle, and he believed it was correct. There was a description in it of the dense crowd who marched in procession to the place where the meeting was held, with banners flying, on which were painted caricatures. On one was a caricature of a tall lank fellow, the personification of famine, and under this was written, "the victim of truck." On another, Cerberus was represented watching two truck-masters; and on a third there was a skeleton of a truck-master about to be thrown into a place not to be mentioned. It was a serious thing when 25,000 or 30,000 workmen came together with such feelings. It was remarkable that the resolutions were all introduced by clergymen; and no man who respected the cloth but must regret that they should have given utterance to the sentiments they were reported to have expressed. He appealed to the House whether it would be wise to promote such feelings as manifested themselves at this meeting? One clergyman, proposing the first Resolution, was reported to have said, that he greatly admired the caricatures, as they were quite deserved. According to him, then, hell flames were deserved by the man who paid his workmen partly in money and partly in goods. "I well know" he says, "that this system was commenced with a good object." He admitted that the time existed when the truck-system was good, but now all the horrors of the damned were justly bestowed on those who carry it on. "Time was," he said, "when we paid our messengers to Parliament, and when they did not deliver our messages, or delivered them improperly, we stopped their grog. Now, I think those times were better than these, for if we cannot get our messengers to advocate our cause, in discussions upon our grievances and distresses, what is the use of having them? The labourer who takes truck instead of money is degraded to a level with a certain animal that has no sense. He is reduced below the barn-door fowl, for the barn-door fowl is reared tenderly, and fattened before it is killed and picked." And so this reverend gentleman went on to argue, that the labourer, by the effect of the truck-system, was picked to the bone without being fattened, and died a skeleton; and this speech was loudly cheered. The whole proceedings at this meeting were well deserving of the attention of the House, and showed the feeling that existed throughout the country. Here were three clergymen at the head of an immense mob, indulging in the grossest vituperation on those men who paid workmen partly in goods and partly in money. Would the House lend itself to creating additional excitement of this description. In his opinion, all the excitement which prevailed was to be ascribed to the laws already passed against men making what contracts they pleased. he workman got the idea that he was injured by his master, and regarded the man who was saving him from the workhouse as a tyrant who oppressed him. To countenance and sanction such a feeling, by passing that Bill, would be most dangerous. His hon. friend said, that the number and the skill of our artizans "were the main springs of our strength, of our glory, and our pre-eminence amongst nations." He agreed with that sentiment, and it was to prevent the evils which he had described that this measure ought not to be carried into effect. His hon. friend said, "Let us consult our common interest by rendering the workmen satisfied with the laws under which they live." In that sentiment also he agreed. If the workman did not like his employer's service, let him give it up. If he agreed to take part of his wages in goods and part in money, he did that with his eyes open; it was a voluntary thing, and it was absurd to refer it to any thing like force. In his opinion, there was not one part of the Bill that deserved support. The whole point in dispute was this; would the House permit free competition between masters? If it interfered, there was scarcely a small capitalist who would be able to carry on his manufacture, and the country would never be free from litigation between master and servant. When work was at the lowest ebb, workmen were distressed, and they thought their distresses arose from the truck-system, though, in point of fact, it arose from want of employment. In his opinion, the practical operation of this system was to diminish that evil, and to give the labourer more employment than he would otherwise have. Upon these grounds, and upon every principle of commerce, the House ought not to agree to this Bill. The House ought not only to reject it, but some member of his Majesty's Government ought to bring in a bill to get rid of the existing laws. Restrictions and enactments had been multiplied without number on this subject. They had not been productive of any good; on the contrary, they had done great injury. The masters and men should be allowed to settle those matters as they pleased. He felt himself called on not to allow such a measure to pass one stage further without taking the sense of the House on it. What was it but a departure from those principles of Free-trade, which he hoped we should never again have lost sight of? But what hope was there if we did one thing one day, and another the next; if just when we began to congratulate ourselves on the adoption of sound principles, we were to retrograde to a system of exclusion and monopoly? What hope was there that the recent system of Free-trade could be maintained. It was upon these grounds that he considered this Bill as of great importance, and that its adoption would be a most serious evil. If other Members entertained as strong an opinion as he did on the subject they would join him in opposing it. He was sure that the trade of the country would not flourish under such a system as this Bill would create. He moved, therefore, that the Amendments made by the Committee be read a second time that day six months.

Mr. *Robinson* seconded the Amendment. To put an end to the truck-system would, in many cases, put an end to the employment of the workmen altogether. Besides, the Legislature had already tried to do so, without effect. There were no less than thirteen Statutes already in existence having that for their object. The hon. Member also objected to several clauses of the Bill as incongruous. The evils of which the workmen complained, and, he admitted, justly complained, arose from want of work, an evil which this Bill would only make worse.

Mr. *Littleton* said, that having had occasion, when he introduced this Bill about three months ago, to trespass at some length on the attention of the House, it was not necessary that he should then go through all the topics which suggested themselves respecting it; and indeed the speech of his hon. friend, the member for Aberdeen, had so little connexion one part with another, that he should have felt great difficulty in following it had it been necessary to answer it in detail. In one point he agreed with his hon. friend, namely, that the peace of the country depended, in a great degree, on this measure. The truck-system had risen to such a height, and had extended itself so rapidly, that if Parliament were to rise without taking any step to arrest it, great discontent would be occasioned throughout the country. In evidence of the feeling which existed on the subject, he would refer to the number of petitions presented from all parts of the country in favour of this Bill. There had been petitions from Cheshire, Staffordshire, Monmouthshire, Buckinghamshire, Leicestershire, Lancashire, Yorkshire, Cumberland, Shropshire, Warwickshire, Gloucestershire, Worcestershire, and from Glasgow. Many of them were numerously signed, not by the retail dealers only, or bankers, who his hon. friend said were the parties principally interested, but by the workmen in great numbers; by money-paying masters, who stated that they were fast advancing to ruin, by endeavouring to compete with those who adopted this system; by Magistrates who had a practical knowledge of its evils; and by Grand Juries of different counties. Those were the classes which had chiefly signed the petitions in favour of the Bill, and it was somewhat remarkable that there had not been a single petition against it. That observation might probably call up one or two petitions, signed, perhaps, by workmen who feared to do any thing but what their masters bade them; but it was worthy of remark, that although this Bill had been three months before the House, and had been sent to every part of the country, not a single petition had been sent up against it. Even the truck-masters, the very men who carried on the system, shrunk from defending it. Many of them had signed petitions against it, saying, "We abhor the system, but we are obliged to resort to it." His hon. friend had adverted to a bill passed some years ago, and which, as he truly said, had failed. It was a sort of private bill, in fact, which he brought in at the instance of a small portion of his constituents, and the enactments of which were very imperfect. It wanted that clause which seemed so objectionable to the hon. member for Worcester, empowering magistrates to summon the parties to give evidence before them. For want of that clause the bill could not be effective, for the parties were generally the only persons who could give evidence. His hon. friend said, and, indeed, the greater part of his speech resolved itself into that argument, that the system which this Bill was intended to abolish had arisen from want of employment. In fact, however, it had been the growth of centuries, and any one who looked into the several petitions presented, would be at no loss to find the cause from which it had arisen. He was satisfied that this measure would produce the payment of wages in money. Whether the wages would be as large as the nominal amount of wages at present, he would not say: it would secure to the workman his property, the produce of his skill and labour. When he brought this Bill forward, he omitted to press upon the House the injury done to the retail dealers by the truck-system. The cruelty of it, and injury effected by it, as regarded the workman, were the topics on which he laid the greatest stress; but it was a lamentable fact that, in many parts of the country, through the operation of this system, the whole class of retail dealers was nearly effaced. In one parish it was found impossible to select two proper persons to fill the office of churchwarden, or any other parish office, those who usually filled such offices having been driven out of the parish by the truck-system. In a small town it was stated that eighteen shopkeepers had gone into the Gazette within the last fifteen months, whose ruin was clearly to be traced to the loss of business consequent upon the extension of this system. These statements were, probably, applicable to many other places as well as those from which he took them, for the system was rapidly extending, to the total extinction of the retail dealer; and if it were not checked, there would be none of that mutual dependence which his hon. friend thought so proper between the master and the workman; but there would be power on the one side, and misery and want on the other. He wished to call the attention of the House to the effect of the important alterations which his right hon. friend, the Chancellor of the Exchequer, had introduced as consequent on the repeal of the Beer-duty, the whole of which had his entire concurrence. The Beer-duty being taken off, and the license system done away, there was no master manufacturer who had adopted the truck-system who would not also undertake to supply his workmen with beer. The article would be of that quality, and it would be consumed in that quantity, and at that price, which the master pleased; and the House could easily conceive how demoralising the effect would be in this particular. The evil already existed in Scotland. At Paisley most of the truck-masters are vintners, and sell spirits to their workmen. He had heard that this was the fact, and had inquired into it. The letter which he received in reply began, "The evil to which you allude does exist here." Similar effects would arise through all parts of the country, only that they would be mitigated by the circumstance that masters could only sell beer and not spirits. There never was a more fortunate period for putting an end to this system than the present. Prices were rising generally throughout the manufacturing districts; there was no want of employment, and gold and silver were never more abundant nor more easily obtained. He understood from Birmingham, which had generally been considered as the great manufactory for base coin, that there was very little now in circulation. Indeed, the people in business there never thought of examining a sovereign or half-sovereign, even when they received 1,000*l.* in a week: they were so satisfied that the coin was not falsified. Even those manufacturers who complained most of being deprived of the 1*l.* notes, found no difficulty in obtaining as much coin as they required. The truck-masters, however, had got into the system of issuing tickets, one of which he held in his hand, and which, if this system were not put an end to, must become the circulating medium of certain districts. His hon. friend, the member for Aberdeen, supposed that the evil would correct itself; but if once the standard of value were removed, every thing would be left to the consciences of the truck-masters, and all men had not the same consciences; nor was it judicious for the Legislature to leave the working classes wholly dependent on the consciences of any body of men. His hon. friend said, that if the laws were repealed, all would be placed on an equality. What then? One master would take ten per cent, another twenty per cent, till the question would be at last, if he might use such an expression, who could take the most from the bowels of the workman, and derive profits to the greatest extent? It was in vain for the House, Session after Session, to occupy itself in considering the situation of the working classes, if this system were suffered; if the workman were allowed to eat out his wages at the truck-shop, with no coin in his pocket, or with coin procured by selling at a discount what he had already received at a large discount, could he be expected to acquire provident habits? Yet this would become the general system of the country if it were not checked in time. If the House should not sanction this Bill, after a time the evil would be so much aggravated, and the complaints so universal and so loud, that Government would be compelled to come down with some measure of a more severe character. By sanctioning the Bill, the House would prevent the further extension of the evil, and avoid the necessity of resorting to more objectionable measures.

Mr. *Hudson Gurney* opposed the Bill. He did not agree with the hon. member for Aberdeen, that all laws ought to be abolished on this subject, but he did not approve of the present measure, and therefore wished that the law might remain as at present.

Mr. *N. Calvert* would support the Bill as an experiment.

Mr. *E. Davenport* felt the greatest obligations to the hon. member for Staffordshire for having brought forward this measure. He had heard the most favourable accounts of the Bill from those parts of the country into which he had transmitted it, and should give it his most cordial support.

Sir *R. Peel* supported the Bill, being convinced that no system was so calculated to destroy the independence of the workmen as the truck-system. Such a system was not necessary to the carrying on of the manufacture, as was proved by the example of Manchester, in which it did not exist. Although he admitted that there might be some objections to the measure, yet, apprehensive of a further extension of the present system, he gave his cordial assent to the attempt to put an end to it.

Lord *Stanley* said, that unless some step were taken, the system would soon be greatly extended. The right hon. Baronet was, indeed, incorrect in saying that it was not known at Manchester. It was in practice there, though the general feeling of the people was against it.

Mr. *W. Smith* supported the Bill. The detestable truck-system had also reached Norwich.

Mr. *Warburton* gave his decided opposition to the measure, and would state his reasons on a future opportunity.

Mr. *Slaney*, after considerable difficulty, had made up his mind to support the Bill.

Mr. *Maberly* admitted that the system was bad, but he opposed the Bill, on the ground of the inexpediency of any interference on the subject of the purchase of labour.

The House divided—For the Amendment 4; Against it 48—Majority 44.

Mr. *Hume* contended that the Bill ought not to be re-committed on a Wednesday evening, and in such an empty House. The hon. Member persisting in his opposition, the question was adjourned to Friday next.

HOUSE OF LORDS,

Thursday, June 24.

MINUTES.] Petitions presented. Against the Duty on Sea-borne Coals, by Lord WHARNCLIFFE, from the Inhabitants of Bristol. For the Abolition of the Punishment of Death for Forgery, by Lord HOLLAND, from Ashburton. By Earl FITZWILLIAM, from Marsden, for holding Assizes at Wakefield; from Dissenters at Cleckheaton, for the Abolition of Slavery. By the Earl of CLARE, against the Bog-Draining Bill (Ireland), from the Barron Navigation Company.

The Court of Session Bill was brought up from the House of Commons.

GREECE.] The Earl of Aberdeen laid on the Table additional papers connected with the negotiations relative to Greece.

The Marquis of *Londonderry* said, as the noble Earl, the Secretary of State for Foreign Affairs, has presented another series of papers relating to Greek transactions, I wish to offer a few words; but it is not my intention to press for the production of further papers, because of my want of success on former occasions, not having been so happy as to obtain what I asked for. But there are, my Lords, many communications which I should like to see on your Lordships' Table, particularly some despatches of Mr. Stratford Canning to the noble Secretary of State for the Foreign Department, now no more. I am persuaded that these and other documents in the possession of the noble Earl, would afford your Lordships much information on the subject. However, I feel that at the present moment the country is so entirely absorbed in its internal sorrows, that it would ill become me to press the subject of foreign transactions on the consideration of the House. I shall, therefore, abstain, till the time arrives when this question may be entertained, with advantage to the public, from entering upon the subject. When that period arrives, I shall then state what the impressions on my mind are with respect to our diplomatic relations. I feel it would be highly improper now to enter into a discussion on that head; but there are one or two questions which I am desirous of putting to the noble Earl; and, if he can answer them without impropriety, I am sure it will afford great satisfaction to many persons, particularly those who are connected with Greek Bonds. I now beg, my Lords, to refer your Lordships to a passage in the Protocol of Conference held at the Foreign Office, on the 20th of February; it is in these words;—"The three Powers have resolved to assure to the new State pecuniary succours, by means of the guarantee of a loan to be made by the Greek government, of which the object shall be, to provide for the pay and maintenance of the troops which the Sovereign Prince shall have occasion to raise for his service." From a memorandum of the noble Duke, dated 10th February, 1830, I find this sentence:—"The Government of this country has never given any pecuniary aid to Greece; and I should only deceive his Royal Highness if I were to hold out any hope of such aid. I will, moreover, add my opinion," continues his Grace, "that such aid is not required." Here, my Lords, is a specific opinion of the noble Duke with respect to this Greek loan and guarantee; and let it not be said, my Lords, that such an opinion has never been given. The noble Duke's words are on record. On the 24th March, the noble Earl informed his Royal Highness that a loan had been agreed to, and the sum of 500,000*l.* was proposed for that purpose; but three times that amount, it was subsequently arranged, should be advanced. How this is to be reconciled with the letter of the noble Duke dated the 10th of February preceding I am at a loss to divine. I shall leave this inconsistency and vacillation of opinion to be explained by others. I beg to inquire of the noble Earl whether any circumstances took place which induced his Majesty's Ministers to consent to an alteration of the amount of the loan—and also whether any part of it was intended to go in payment of the money previously raised in this country? Your Lordships are aware that a great deal of stock-jobbing has arisen upon Greek Bonds; and I think it would be satisfactory to know whether any part of the income intended to be raised in the way pointed out in the papers before the House was to be applied to the payment of the original Greek loan. These two points to which I have requested the noble Earl's attention, I think, are of importance. With respect to the various papers now laid on your Lordships' Table, I beg to say that I shall not offer one word. When the proper time arrives, I shall trouble your Lordships with my opinions on the transactions.

The Earl of *Aberdeen* was fully aware of the inconvenience of the interlocutory explanations which the noble Marquis required, and was anxious for the arrival of the period when the whole question could be brought forward for discussion. With respect to the transactions which had been referred to, he had no difficulty in answering the questions put to him by the noble Marquis. The noble Marquis was quite mistaken in supposing that any change of sentiment existed with regard to the nature of the transaction affecting the loan. The first time a loan was proposed by the Allied Powers, 500,000*l.* was the sum named. The object of the loan was principally the payment of so many troops as it was supposed, in the state of affairs in Greece, would be necessary for his Royal Highness Prince Leopold. He had, on a former occasion, stated to the House that in consequence of the perseverance to have that loan advanced, and the urgency of the Allied Powers on his Majesty's Government to give its acquiescence, the loan was agreed to; but not the sum mentioned by the noble Marquis, of thrice the amount; the money to be guaranteed by loan being only about one half more than the original amount proposed. With respect to the question put by the noble Marquis, relating to the Greek bonds and Greek loans; he had no hesitation in saying that his Majesty's Government had no sort of connexion whatever with them. The loan to which his Majesty's Ministers had consented had no reference to, nor connexion with, those former loans, the simple object of that loan being as he had already stated, the maintenance of the troops which were considered to be necessary.

The Marquis of *Londonderry* heard with great satisfaction the explanation of the noble Earl, but he still insisted that there had been a change of sentiment with regard to the amount of the loan, if not to the extent he had named, as the sum originally fixed was 500,000*l.*, and, according to the noble Earl, the amount ultimately agreed to was 800,000*l.* The explanation was calculated to prove beneficial, as it was exceedingly important to know—and he doubted not that the fact would go forth to the public—that the Government of this country had nothing to do with the guarantee of the original Greek loans.

GALWAY REGULATION BILL.] The Earl of *Carbery* said, that the petitioners who had prayed to be heard by Counsel against the Bill not wishing to persist in their prayer, he would now move that the Order be discharged, with a view of affording an opportunity, without delay, of the Bill being read a second time.

Earl *Grey* moved the second reading, and he proposed that to-morrow the Bill should be committed, when he would take an opportunity of stating his reasons in favour of the measure, should any noble Lord think the Bill, in its present state, ought not to pass. He believed that the principle of the Bill could not be objected to.

The Duke of *Wellington* had no objection to the second reading, but he thought the Bill in its present form objectionable; he should, therefore, in the committee, propose some amendments.

The Duke of *Richmond* said, if any thing should be proposed in the committee which went to the effect of disfranchising any man in the country, unheard and unconvicted, he, for one, should give such a proposition his decided opposition.

Earl *Grey* regretted to hear the noble Duke at the head of his Majesty's Government declare his disapprobation of the measure in its present form. He hoped, however, to be able to convince the noble Duke of its policy and justice. He was sorry to say, that, if the noble Duke persisted in his objection, he should feel compelled in the present instance to be in opposition to his Majesty's Ministers.

The Bill read a second time.

EAST RETFORD DISFRANCHISEMENT BILL.] Lord Durham moved the postponement of the East Retford Disfranchisement Bill to Thursday next.

The Marquis of *Salisbury* expressed his disapprobation, and hoped their Lordships would not delay the measure by acceding to the Motion.

Earl *Grey* said, it was hardly possible that the Bill could be got through during the present Session; and had his noble friend moved that it be read a second time that day six months, instead of the motion he had made, he should have given him his support.

The Earl of *Carnarvon* differed from the noble Earl who had just sat down, and should oppose the motion for so long a postponement.

The Duke of *Wellington* begged to remind the House that the Bill had occupied the attention of the other House of Parliament at different periods for the last three Sessions, and it had been before their Lordships for nearly three months. He, therefore, hoped that the House would not consent to its postponement to a distant day, as the Bill required their decision, aye or no.

The Earl of *Westmorland* had no objection to the Bill being taken into consideration at an early day if their Lordships were determined to proceed with it; but he thought that further discussion on the subject would be a waste of time, for their Lordships would be unable to carry it through this Session.

Further consideration postponed till Tuesday.

HOUSE OF COMMONS,

Thursday, June 24.

MINUTES.] Petitions presented. Against the Stamp and Spirit Duties (Ireland), by Mr. FITZGIBBON, from Newcastle (Limerick):—By Mr. O'CONNELL, from Lisdownry, Clonetubrid, and Whitegate. Against the Additional Churches Bill, by Mr. LITTLETON, from Ralph Stevenson.

Against the Northern Roads Bill, by Lord Mandeville, from Brampton, Huntingdonshire. In favour of the Bill, by Mr. Henry Scott, from the Freeholders of Roxburgh:—By Colonel Lindsay, from the Town Council of Perth:—By Sir G. Murray, from a general Committee of Burghs (Scotland). Against the Duty on Candles, by Mr. Henry Scott, from the Candle manufacturers of Roxburghshire. Against Oath-taking, by Mr. Wm. Smith, from Christian people at Armagh.

Conduct of Mr. O'Connell.] Mr. *Trant* presented a Petition from the Rev. Sir H. Lees, complaining of certain violent and inflammatory speeches made by associations of Papists in Ireland. The hon. Member, in presenting this petition, said that he was anxious to call the attention of the House to one or two points adverted to in the petition—one was, that the petition stated that the Act for the Suppression of Illegal Associations in Ireland was about to expire; in this he thought the petitioner was mistaken, but upon this point the Solicitor General for Ireland could give the House information as to the correctness of this statement. He understood that the law was to continue another year beyond the present Session of Parliament. The other points to which he wished to advert were also stated in the petition, namely, the conduct of the hon. and learned member for Clare, and others who entertained similar opinions, and if what he (Mr. Trant) had heard was correct, he could not help saying, that the hon. and learned Member was highly blameable in what he had done. What he alluded to was a letter written by the hon. Member to the Editor of a Waterford Paper,[*] advising all persons to obtain gold for bank-notes. The consequence of that advice was, that already a considerable run has been made upon the banks in Waterford, and great alarm had been spread through the surrounding districts. The immediate effect was, that every article of trade and produce, especially butter (the principal commodity of the place), had fallen in price. He regretted the hon. Member had taken such a step so soon after the efforts that had been made to establish confidence and security in Ireland upon a solid basis. After all the pains that had been taken to tranquillize Ireland, he was sorry to see the hon. Member pursuing a course which must produce the distress and ruin of thousands in that country. But perhaps his hon. and learned friend had some good reasons for the line of conduct which he had adopted, though what they were he could not divine. If the hon. Member had any he could now explain them. The petitioner entertained much stronger opinions than he was inclined to approve of, but he must say, that on this occasion he seemed to have some reason to complain of certain persons in Ireland since the passing of the Relief Bill. Their conduct had certainly contributed much to disturb the tranquillity of that country, which, it was hoped, would be the consequence. It was true he had warmly opposed that bill, but as it was passed, no man was more anxious that it should be followed by religious harmony; he had never, since the passing of that measure, attempted to mar its good effects by exciting angry discussions, and he appealed to the hon. member for Clare, as a fellow-Kerryman, not to impair his reputation by the perversion of his undoubted talents, which he feared he was doing, in keeping up agitation in Ireland. It had been urged as an argument in favour of Catholic emancipation, that such men as his hon. friend, possessing ardent minds, would come into that House, and give out their opinions for fair discussion, and that thereby the House would become the safety-valve or conduit to carry off all those bad and angry feelings which, it was represented, made Ireland a hell upon earth. Now, he would say, that if agitation were persevered in, he would caution its abettors to beware, lest, in the bitterness of disappointment, a step might be taken to crush all their expectations. The dangers to the Established Church had been increased by the admission of Roman Catholics to power; and they ought to beware, lest they might alarm the friends of the Church by conduct which could only be pernicious in its results. The proceedings of the hon. Member and his friends would, if persevered in, bring confusion and anarchy upon that country. There was one circumstance to which he then wished to advert—at a public dinner given lately in Ireland, another eminent and learned gentleman is stated to have said, "that none of the manna of patronage had fallen upon the Roman Catholics of Ireland, and that the Government must, (and the word was used emphatically), give substantial effect to the late measure, or that greater evils still would arise out of the disappointed hopes of the Catholics of Ireland, and that men would still be found, who knew well how to minister to the passions of the people of that country." What Mr. Sheil complained of was, that Government did not distribute any of its patronage amongst Catholics. That gentleman, however, should recollect, though the numbers were on one side, that the weight of property was on the other. Such language was used with great peril, for he had great confidence in the people of England, and knew that the energies of the Protestants of Ireland would, if necessary, be assisted by their fellow-religionists in England, and thus assisted, they could crush any attempts made against them. But though not fearful of the result, he again called upon his hon. friend to desist from conduct tending to produce distress and disorders which no man could even contemplate without horror. He was happy to hear his hon. friend, on a former occasion, in a manner which did him credit, refer to personal considerations which made him tender of human life; but his present proceeding might, though no doubt unintentionally, involve him in acts of crime of deeper dye than could arise out of a personal conflict. He entreated his hon. friend's pardon for addressing such observations as might be considered a lecture—but he felt for him personally and sincerely, and he also felt, as an Irishman, for their common country, and in the name of that country he implored his hon. friend to desist from acts injurious to his own fame, and to the interests of their common birth-place.

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[*] The following is the letter alluded to :—

"To the Editor of the Waterford and Weekly Waterford Chronicles.

"*London, June* 7, 1830.

"My Dear Sir,—You are quite right—the time is come when Ireland should, one and all, rouse itself to fling off the Administration of the Duke of Wellington. He is, in my judgment, totally unfit for the office of Prime Minister. A portion of Ireland, organized by the Catholic Association, of whom 1,400 were Protestants, forced him to grant Emancipation; but he granted it with the worst grace possible. He added to it the disfranchisement of the forty-shilling freeholders, the suppression, or rather attempt at suppression, of the Monastic Orders, and the insult to our Bishops—add to these that despotic law which has authorised the Lord Lieutenant to issue his late proclamation. In the annals of legislation, there never was so unconstitutional a law. How he was compelled to emancipate is well known, but he threw as much of bitterness into the cup as he possibly could. I really think that he hates or despises Ireland. His powers, too, of reasoning, appear to me of the lowest class. He is quite the Commander-in-Chief of the Ministry, and rules the men who have the littleness to act with him with a sway almost despotic. I think his foreign policy of the worst possible description, and that the tendency of his public measures is all towards arbitrary sway. It is, in short, essential to the peace and prosperity of these countries that we should have another Minister.

"As to Ireland, the insulting and insane attempt to increase the taxation, at such a period of deep distress as the present, is a proof of utter, total ignorance of our real situation, or total disregard of our wants. The hour, therefore, is come, when every effort should be made, to press on the Administration of the Duke. This is the very time to attack his Government in every legal and constitutional way. I very much approve of your plan of securing a gold currency for Ireland. If gold be good for England, as a medium of exchange, it ought to be equally good for the Irish. Indeed, it is a very formidable advantage that the English have over us in this, that their currency is of actual value as an article of commerce, being gold—and that we, Irish, should have no other currency than mere paper, in itself, as an article of commerce, of no kind of value whatsoever.

"It is too bad that the welfare of Ireland should be thus postponed, as it were, to serve England. It seems, therefore, a duty, to rouse the people to effectuate the necessary change, by calling for gold for every pound-note. A man who has a pound-note may surely as well have a sovereign. A thousand accidents may make the pound-note not worth 1½*d*. There is nothing which can possibly render the sovereign worth less than 20*s*.; and let me tell you that it may again become worth 30*s*. of the then currency. Call, therefore, on the people—the honest, unsophisticated people—to send in the bank-notes of every description, and to get gold. Take this as a measure of precaution every where—let it spread far and near, and then at least we will be so far on a par with England.—Believe me, most sincerely, your's,

"Daniel O'Connell."

Mr. *O'Connell* felt some doubts whether or not he ought to offer any explanation of his conduct; and but for the kind manner in which he had been alluded to by his hon. friend, the member for Dover, most assuredly he should not say one word upon this petition. It was not due to the House that he should explain; he totally disclaimed the authority of the House over any acts of his that were done out of it; and least of all would he stoop to explain to the raving petitioner. In the House he always did and always would act in such a way as he thought due to the House and to himself, as an independent Member of Parliament; and while he did so, he must disclaim, in the most distinct and positive terms, the right of the House, or of any Member of it, to call him to account for what he might think proper to do outside the doors. With regard to the question before the House he would say, that he had struggled for Ireland when she had been a prey to every needy adventurer in politics and religion, and when she had been betrayed alternately by the men who attempted to cajole, and those who professed to befriend her. During the era of agitation, which was spoken of with terror by the petitioner, Whiteboy outrages ceased—riots became daily less frequent—massacres and midnight conflagrations disappeared—the people became reconciled to each other—old feuds were forgotten—new alliances sprung up—and peace and harmony succeeded to violence, outrage, and civil war, until at length, pacified and combined, Ireland became too powerful for her enemies, and too big for her chains. And now that he was in the House, had he not a right, on behalf of his country, to complain of the manner in which Irish business was neglected here? There was the Subletting Act, framed for the purpose of depriving the people of their tenements, in order to enlarge the domains and enhance the property of the rich; that Act which had already inflicted such frightful injury on Ireland, and made the poor die by hundreds in the ditches—was not that law still permitted to disgrace the Statute-book? It was true, an amendment had been proposed, but it was still worse than the Act itself; for it legalised the disputed clauses. There was the Vestry Act too—the most infamous that could be conceived. Was it not monstrous, that six millions of people should be taxed by 250,000 for the support of a Church from which they conscientiously differed? "I heard (said Mr. O'Connell) great cheering from the Treasury benches when it was thought that my hon. friend had made a hit at me. Well, did these retainers of the Minister—these unbought, unbiassed, but still hon. Gentlemen—support me in any effort of mine to relieve the distresses of Ireland, by removing existing and flagrant abuses? No, Sir, I was met by a united phalanx; and this, Sir, is the reason why I have acted out of doors—and this, Sir, is the reason why I shall continue to act as I like out of this House. By agitation Ireland became strong; by agitation she put down her bitter enemies; by agitation has conscience been set free; by agitation Irish freedom has been purchased; and by agitation it shall be secured. Liberty was never yet obtained by quiescence. The iron sceptre of despotism and bigotry was never yet broken by apathy. Sir, I ask, if agitation—constitutional agitation—prevailed in England, should we not before this have had a reform in Parliament? If there were not in England an apathy which I hold in contempt, I ask, would a few Lords return the Members of this House?—or would an oligarchy presume to trample upon the rights of the people?—or would the Minister be secure of a venal majority to carry every profligate job he might think proper to advocate? It is the absence of agitation that perpetuates abuse in England; the existence of it in Ireland will ultimately establish the people's rights. The speech of Mr. Sheil has been alluded to as against me. Now, I disclaim any connexion with the sentiment to which my hon. friend has referred. I despise the patronage of any Government—I contemn the name of office. This was always my feeling, and in that feeling I shall die. But I will say, the Government have not treated the Catholics of Ireland well since the passing of the Relief Bill. Their conduct towards the Catholic Bar is disgraceful. I don't want the gew-gaw of a silk gown, and neither do I refer to my friend Mr. Sheil, for we were fellow-agitators, and must be prepared to bear up against the hatred of those whom we succeeded in defeating. But why has not a silk-gown been given to Mr. O'Loghlen, or Mr. Ferrall, or Mr. Cruise, or Mr. Ball? Sir, the reason is, they are Catholics. Now, this is an injury to their clients, many of whom are Protestants. I tell my hon. friend that he is mistaken about the workings of the Relief Bill. It has done well in spite of his Majesty's Government. The people themselves have become reconciled; and now Protestants and Catholics see their own interests, and are resolved to be no longer the dupes of designing mercenaries. But if violence is kept up in some parts of the North, I see on the ministerial side of the House the men who are keeping party spirit alive for electioneering purposes. I have, Sir, given my advice to my countrymen, and whenever I feel it necessary I shall continue to do so, careless whether it pleases or displeases this House, or any mad parson out of it. And will any hon. Member tell me my advice is bad? What did I do? Why merely this—I recommended the people to get gold, as in England, for useless paper. The Members opposite would not go with Mr. Attwood in giving a silver currency to England, and am I to be questioned for recommending the discountenancing of a paper currency in Ireland? My advice has been followed, and this night's discussion will enforce it. I again disclaim having risen to defend myself, because, for my acts beyond these doors I disclaim any responsibility to the House. I rose, Sir, to express my determination to do my duty towards Ireland. My object is the good of Ireland first, and of the empire secondly."

Mr. *Doherty* said, he rose principally for the purpose of answering a question put to him by his hon. friend, the member for Dover, who had asked if the act of last Session, for suppressing illegal associations had expired. That Act would continue in force until the end of the next Session of Parliament. With regard to other matters touched upon by the hon. member for Clare, such as the Subletting Act, and the Vestry Act, he did not think that the proper time for discussing them; but he protested against what had been said respecting them. When the time came for such discussions, and it was not his fault that it had not sooner taken place, he should then deliver his opinions; and he wished to remind the House, that he had been induced by the hon. member for Clare to postpone the discussion on the Subletting and Vestry Acts. This, it was true, occurred in consequence of the hour at which he was about to introduce the subject, and he only mentioned it to show that he was most anxious that these questions should be taken into consideration. When the Subletting Act came on for discussion, he believed he should be able to show the House that it was not such a measure as had been described by the hon. member for Clare. That hon. Member had said a great deal in the course of his speech, but he would ask the House whether the observations of the hon. member for Dover had been answered? As he understood the latter Gentleman, he did not arrogate to himself the right to call the learned Gentleman to account for his conduct out of the House; but he had alluded to a letter, addressed to the Editor of an Irish newspaper calling on the people of Ireland to get gold for their bank-notes. The hon. Member had justly considered that such conduct would be ruinous to Ireland, or at least the cause of irreparable injury, and without assuming to himself any authority or right to call the hon. member for Clare to account for his conduct there or elsewhere, he did complain that that Gentleman had not availed himself of his high privilege, as a Member of Parliament, to bring forward his views for discussion in that House. This was the course which he had expected from the high talent and station of the learned Gentleman. He did expect that once seated in that House as a Representative of the people, he would have brought all those interesting topics forward for discussion. Then might these questions be fairly considered, when argument would be met by argument, and reason by reason; but this was not the course pursued, and instead of bringing the important question of the currency under the consideration of practical men, the learned Gentleman had addressed a letter to the common people of Ireland, and he had done so by telling those people that gold was useful, and having come to the conclusion that gold was a useful currency, he proceeded to obtain his desirable end, by the singular mode of declaring "war to the knife;" but he knew what the object was—it was not to get at gold, but the vain and absurd object of driving Ministers from their situations by the threat of "war to the knife." That was the learned Gentleman's object, and the manner in which he sought to effect it, reminded him of the conduct of a maniac who was refused employment by the manager of a company of players, at a country theatre. He was offended, and declared that he could and would ruin the company, boasting, in his folly, that he had sufficient influence to effect it, by the magic of a single word, and he would take the opportunity of showing his own popularity in the town and of ruining the company. This maniac, in the execution of his purpose, went accordingly to the theatre on a benefit night, when the House was full, and placing himself in a secure place, he set up the cry of 'fire.' The immediate consequence was instant consternation, in which there was a rush to the door, and many were severely injured. Now he would ask, if this was a proof of popularity, or did the success of this mad scheme show that the man possessed influence in the town? and such conduct as this it was, that the hon. member for Clare felt himself justified in pursuing. He assured his friends that there would be a run on the banks, and this under the pretence, which any one might put forth, that the banks were in a state of insolvency. It was well known that nothing was more delicate or more easily assailable than the credit of a bank. Let but the slightest report of insolvency be circulated, and a rush ensued. He called upon the hon. member for Clare, as he valued the welfare of his country, to be more cautious in what he undertook. The state of Ireland during the panics of 1821 and 1825 were fresh in the recollection of many, and it was only necessary to refer to those periods to give an idea of what a scene Waterford presented on Saturday last, and what misery was entailed, perhaps, on thousands. He had heard, that upon that day the greatest consternation prevailed, and the produce brought by the peasantry to market sold thirty per cent below its value; and it was the letter of the hon. Member which had produced these calamitous effects. It was not in his (Mr. Doherty's) power, nor, indeed, was it in the power of the Government to cure all the sufferings to which, from various causes, the peasantry of Ireland were exposed; but any mischievous person might increase the misery inseparable from want, by crying 'fire,' and superadding confusion and want of confidence. Let not the country, in the name of God, have "war to the knife;" let it not be involved in ruin and conflagration, because one individual was not satisfied. That was not right; it was not creditable either to that House or the country. The hon. member for Clare had promised to do great things for Ireland.—What had he done? In that House he had done nothing. He complained, indeed, that the House did not lend a patient and a willing ear to his addresses. He told the petitioners that their petitions were neglected; but he would take the experience of the last twenty years—he would refer to the many hours of patient investigation and close attention given by that House to the affairs of Ireland, to refute the allegation. It was one thing to be indifferent to the claims of Ireland—it was another not blindly to follow the command of the hon. and learned Member. He had witnessed the state of Ireland with much anxiety during the last few weeks, for he had just come from that country;—there were sufferings which, perhaps, could not be averted; but he was sure that exciting alarm, and provoking a panic, must aggravate those evils it was the wish of all good men to avert. It was difficult for wisdom to accomplish good, but evident, from this and other instances, that folly might easily provoke mischief.

General *Grosvenor* thought, that the House was much indebted to the hon. member for Dover for having called its attention to this subject, and was of opinion, after the statements which had been made, that it was high time that the hon. and learned and Catholic Member should be observed. [*Cries of "Order!" "Hear, hear," and loud Cheers.*]

Mr. Spring Rice rose to speak to order.

[Mr. O'Connell attempted to rise, but was kept down by Mr. Hume; and considerable confusion existed for a few moments—some Members cheering, and some vociferating "*Order!*"]

Mr. *S. Rice* was at length suffered to say, that there was one word, and only one word, used by the gallant Officer which he thought it right to take notice of, which in fact, the House was bound, he thought, to find fault with, as quite unparliamentary. The hon. and gallant General had no right, since the law recognized no distinction, to call any Member a Protestant Member or a Catholic Member. It was not parliamentary, and certainly it would not be convenient. This was the first time, he believed, that any such allusions had been made, and he trusted that he did not interfere unnecessarily. If they were not checked at the outset they would lead to serious inconvenience, and in time to great confusion.

The *Speaker* said, the House, and no Member of it more than the gallant Officer, must feel obliged to the hon. Member for calling the gallant General to order. The hon. and gallant Officer must feel the impropriety of making any distinction among the Members of that House, since the law had declared that there were to be no distinctions.

General *Grosvenor* bowed to the authority of the Chair, and to the call to order, made by the hon. Member in such good humour. He had only used the word as a means of distinction. There were so many hon. and learned Members, that he knew not how to describe the hon. member for Clare. He was glad that the hon. member for Dover had made these observations in his place. The House had been exposed to considerable inconvenience from the number of petitions presented from Ireland against the proposed scheme of taxation, and all these petitions apparently proceeded from the bureau of the hon. and learned Member. The letter already alluded to was signed Daniel O'Connell, and that he presumed was the same hon. Member. The hon. Member had referred to the petitions from Ireland, and described the apathy of the House as discreditable to it; but, in his opinion, those petitions and their consequences were discreditable to nobody but the hon. and learned Member.

Mr. *O'Connell*:—I think it my duty, Sir, to my constituents, my country, and myself, to offer a few remarks upon the discussion that has arisen; and in the very outset, I must again disclaim any submission to this House, and its authority over me, for any act I may choose to do outside of these walls. I cannot command language strong enough to disclaim any, the slightest submission to this House, generally, for any act done out of it, and therefore, Sir, it will be at once seen how thoroughly I repudiate the authority of any Member of the House,—but more especially of the hon. and very learned member for the city of Kilkenny. Sir, I should be exceedingly sorry not to enjoy the blessing of his censure; and on that day should I think myself unhappy and a traitor to my country, when I had the misfortune to be praised by the very learned Member. Sir, in a letter to which allusion has been made by the gallant General, I did speak of "war to the knife" against his Majesty's present Ministers, and that phrase I will now repeat for the satisfaction of the gallant Member. But, Sir, this is not the letter to which my hon. friend, the member for Dover, alluded when he opened this debate; and yet, the very learned Gentleman, the Solicitor General for Ireland, with that tact for which he is so eminent—that species of scenic display, and theatrical manœuvre, which so often supply the want of ability and talent—has confounded the two letters, and brought the sentiments contained in one to bear upon the opinions promulgated in the other. Now, Sir, the letter in which the phrase which has so much excited the ire of the very learned member for Kilkenny, was contained, is a letter written by me upon the subject of the Stamp and Spirit duties, which the hon. Gentleman dares not oppose; or if he do, I presume he will not long enjoy the confidence of the Administration—a commodity which the very learned Member could not very easily dispense with; and if he do not, I here tell him there is not a man, woman, or child in Ireland, from Kilkenny to Derry, that will not be in array against him. I did, Sir, denounce the scheme of assimilation as mischievous and oppressive in its tendency; I now denounce it, in my place in this House, as outrageous and profligate in design. It is another proof—if any were still wanting—of the entire ignorance of the Chancellor of the Exchequer of the real condition of Ireland; and because I have exerted myself to prevent this unwarrantable plan from being carried into execution, I am assailed by the very learned Member, who professes so much affection for Ireland. I always called upon the people of that country to petition against the contemplated measure; and I think my views right, exactly in proportion as they may be arraigned by every hack of the Minister, whether in or out of this House. As to the currency question, I think it right that, as assimilation is the order of the day, we should have the benefit of it in every respect in Ireland. Will the very learned Member tell me that his notion of "assimilation" is not "taxation?" If not, why should not Ireland enjoy a gold currency as well as England? The majority of this House refused a silver currency to England, and the hon. Gentleman would force paper down the throats of the Irish! Knowing, as I do, how the Ministry can command venal majorities in this House, I did not go through the mockery of a motion upon the subject, but I adopted a more effectual course; and then I am met by the very learned member for Kilkenny with all his stage trick, scenic skill, and forensic management—for which latter quality he has of late gained so much celebrity, and all of which qualities are so often found useful in the absence of ability, talents, legal knowledge, and research; and he gravely tells me, that instead of writing letters in newspapers, I ought to bring forward a motion in this House. Sir, not being so good an actor as the very learned Gentleman, I do not choose to appear in a farce; I am not, unfortunately, frivolous and shallow enough to play a part in such mimickry. Nature did not cast me for the character of Justice Shallow. The very learned Gentleman has alluded to the distress in 1821. What, Sir, was the cause of that distress? Why, the insolvency of the country banks. This is the evil that I want to prevent a recurrence of; and by no other means will that end be attained so quickly, as by the discussion of this night. The country will naturally take alarm at the panic, which a Member enjoying the confidence of his Majesty's Government is in, and it will see that the precautionary measures which have been resorted to in Waterford, were suggested by well-grounded apprehension. If the branch banks have substance, they can suffer no injury from the run upon them for payment of their notes; and if they are insolvent, the sooner the bubble bursts the better. My letter was addressed to a Gentleman upon a local subject: the discussion of this night will make the opinion it contained current throughout the entire island. So that if the measure I have recommended be bad—and I am quite sure it is not—the hon. and learned Gentleman will have to answer to his employers for making it universal. But, Sir, I am accused of writing letters, and in the same breath it is stated by an officer of the Crown, that an Act, the most infamous and despotic that a government was empowered to wield—an Act at war with every notion of constitutional liberty, and fit only for the climate of Algiers; an Act which enables the Lord Lieutenant of Ireland, by his mere *fiat* to put to rout any meeting called for any purpose, or in any place, by a Lord Mayor, or Sheriffs, or Magistrates, or by the people themselves, still stains the Statute-book. Would such an Act be submitted to by the people of England as was tamely borne in Ireland? How, I ask, are the people to be informed of what affects their interests, unless through the medium of the Press? The Press is now the only route of communication to the public; and that route I have entered into; I will continue in it; and, despite of the very learned Member's taunts I will go forward in the same course. If in my communications to the Irish Press—ever faithful and independent—I shall write any thing that is improper, I am sure the very learned Solicitor General for Ireland will feel no repugnance at framing an *ex-officio*. Sir, I have opposed the oligarchy and the Ministry, because I consider both to be enemies to the welfare of the empire, and of course I could not have been silly enough to expect the cheers of either. I ever did, and ever shall oppose the intrigues of every party in this House. I care not for names—Whigs and Tories I equally contemn if they do wrong. I sit here as an independent Member of an independent county, to do the work of the people and to oppose the oppression of Ministers and of the aristocracy. The influence of the one I ever have, and ever shall despise—the frowns of the other I court, as the best reward of my labours and exertions for the people. But, Sir, I cannot restrain the expression of my indignation, when I see needy professional adventurers, empty jesters, silk-robed harlequins, without talent, without professional capacity or knowledge, known only as the parasites of the Minister and the panderers to power, devoid of every qualification for office, except adulation, subserviency, and tergiversation, ranters in the Senate-house, but briefless in the Court—I cannot, I say, Sir, restrain my indignation, when I see such characters as I have described, rising from nothingness and penury, to station and wealth; filling judicial situations, and if not wearing the ermine, at least aspiring to that elevation, whilst their superiors in intellect, in worth, in integrity, and information, are kept in the back-ground, because they are too sincere to conform, and too independent to fawn. I again, Sir, disclaim any intention of apologizing or explaining to this House. In this House I have been and will continue to be decorous, and out of it I will do every thing that, in my opinion, may serve Ireland.

Lord *Howick* lamented the course which the hon. member for Clare had thought proper to adopt—a course which he (Lord Howick) should be disposed to consider wantonly mischievous if he did not think that the hon. Member was ignorant of the nature and extent of that injury. Nothing could be more injurious to the country than the recommendation of the hon. and learned Member to the people to demand gold; because it was well known that no precaution, no wealth, could secure a bank from stoppage if there were a general demand for gold.

Mr. *Henry Grattan* expressed a hope that the hon. member for Dover would not move for the printing of the petition, as it was calculated, if it went forth to the world, to revive old subjects, and awaken old prejudices, which it must be the wish of every man of sound understanding and good feeling to see buried in oblivion. No one could deny the fact, that the failure of the banks in Ireland had produced the greatest misery throughout the country. But the House, he thought, went too far when it accused the hon. member for Clare of conduct out of that House. For his own part he knew that great inconvenience had been felt by the omission of the Government to give silk-gowns to Catholic barristers, and he lamented, as he was sure the House must do in general, that any course should be pursued which had a tendency to produce attacks, of which they must be tired, especially as the great measure had been carried which rendered them worse than useless.

The Petition to lie on the Table.

SUITS IN EQUITY BILL—COURT OF CHANCERY.] The Order of the Day for the resumption of the Debate on the Court of Chancery was read.

Mr. *John Williams* said, that the accidental circumstance of several Gentlemen in succession having spoken on the same side of the question, had induced the hon. Member opposite (Mr. R. Grant) to forego the right of addressing the House first, with a view of giving something like variety to a debate which had already been denominated (and probably with too much truth) "tedious." He felt very fully the disadvantage of being followed, instead of preceded, by the hon. and learned Member, being quite aware of the power which he was able to bring to bear upon this and every other subject of discussion. He was, however, though inferior in other important particulars to his hon. and learned friend, resolved to imitate his usual tone of moderation, which so entirely befitted the present occasion, on which a question of great importance in itself, and in relation to other subjects, was under consideration. He observed, that the opponents to the measure (as they chose to consider it—he would venture to say measures) were by no means agreed in the ground of their opposition. His hon. friend the member for Plympton (Sir Charles Wetherell) had objected entirely, in whatever view the question was considered. The hon. member for Kircudbright (Mr. Ferguson) did not leave the House to discover, from the tenor of his observations, that he differed from the hon. member for Plympton, but, very early in his speech, informed them that he did so, and expressly founded his opposition upon the arithmetic of the case, and upon the reduction of the amount of business in the Courts of Equity within a certain recent (and, it must be observed, very limited) period of time. He (the hon. member for Kircudbright) professed that the Lord Chancellor had brought forward the measure with the purest motives, and, most certainly, it would appear, when that part of the subject came to be examined, that the Lord Chancellor could acquire no additional leisure for himself, but directly the reverse. If, therefore, it should appear that the reduction of business was upon too small a scale, and during too short a time, when compared with the long-continued and great increase for a series of years, which was undeniable, and further, if that reduction was, to a certain extent, accidental and open to explanation, the opposition of the hon. member for Kircudbright should be converted into support. His hon. friend, the member for Rippon (Mr. Spence) also, was qualified in his opposition. He did not hesitate to declare, that he was in favour of a fourth Judge, provided the scheme of amendment had begun in the proper place. His hostility depended entirely upon the alleged neglect to provide, in any degree, for the improvement of the Masters' and Registrars' Offices. Upon this circumstance his hostility to the Bill, or Bills, depended; as, indeed, his whole argument had proceeded upon the assumption, that neither the principal measure, nor the accompanying ones, had any tendency to produce any reform in those offices. He, (Mr. Williams) however, should endeavour to show, that in all those measures there was such an operation, which his hon. friend the member for Rippon had overlooked, or rather the converse of which he had assumed. He observed that all the Gentlemen who were adverse to the measures, had, without exception, treated the subject as if it had been volunteered, and gratuitously, if not causelessly, obtruded upon the House; as if the subject of the Court of Chancery were new; as if there had been no complaints upon that subject, no motions, year after year (by his hon. friend the member for Durham, who was the great and veteran champion in the cause) for upwards of twenty years last past; no committee in 1811; no motion for inquiry in 1824, and no commission issued in consequence. Such, however, every Gentleman, upon the slightest recollection, must be aware was the fact. Of that Chancery Commission, having alluded to it, he (Mr. Williams) would say, in passing, that it had not fared quite so well as some others of a subsequent date. Those latter ones had been well praised, and well paid. The Chancery Commissioners, on the contrary, had fared but abstemiously as to the higher and more refined food of praise; but, as to the coarser and more vulgar aliment of profit, they had absolutely been starved altogether. Yet it was only common justice to add, that many individuals of that commission had, with great labour, and considerable loss, devoted themselves to the execution of what had been deemed their useful (though he had always thought it to be, and did still, too restricted and limited) task. About eighty orders had been framed upon their suggestions and observations, and, what was more to the present purpose, though it had been wholly overlooked, two of the measures, now before the House originated from them likewise. With respect to the third, the appointment of a fourth judge, he was quite aware that the Report of the Commissioners contained nothing. It had, however, always been considered, by those who thought favourably of that commission, that one principal recommendation was their reporting the opinions of others, in the shape of evidence, as well as their own. And accordingly, in this particular, the Report afforded some powerful arguments. Mr. Bell, whose opinions, from a recent pamphlet, had been quoted, was, as every body was aware, fully examined. That learned gentleman, not content with the deliberate and advised answers which he gave during examination, but desirous more fully to explain himself, drew up a paper which, in his humble judgment, was, both in composition and argument, every way superior to the modern pamphlet, and in that paper his opinion was, that the present judicial establishment was insufficient. That pamphlet is stated, and appears to be hasty, and one of the best parts of it is the promise of a fuller and more deliberate view of the subject. A learned friend of his, for whom he had long entertained the highest esteem and regard—he meant Mr. Heald—had originally expressed his opinion to be, that two Judges, with the Chancellor were sufficient. Upon deliberation, however, his friend, when he again appeared before the commissioners wished to retract, to a certain extent or, at least, vary his former evidence in this particular. The opinion of the present Vice-chancellor was perfectly well known, not merely from the energy and vivacity with which it was expressed, but also from the accidental circumstance of its having been conveyed in a metaphor upon oath, a figure of speech which, so far as he knew, was left untouched by Longinus, Dionysius, Quintilian, and all other reverend authorities in the courts critical. He, however, would place no reliance upon that passage, which his hon. friend, the member for Plympton, denounced as a *nisi prius* trick, unless it had been followed up by a plain, direct, intelligible, and unmetaphorical answer to the same effect. The Commissioners asked, "Then you are of opinion that the present number of Judges is insufficient for the despatch of business with due expedition." Answer of Mr. Shadwell.—"Indeed I am." So is the Report. But the gentleman whose testimony was the fullest upon the point, and, indeed, much fuller than that of all others, was his friend Mr. Bickersteth. Whether the Commissioners happened at that moment to be particularly inquisitive, which upon this point they generally had not been, or that his friend Mr. B. had been more unlocked and unreserved than any other witness, he could not say, but certain it was, that his communications were so full and ample upon the subject, and the reasons so fully detailed, that he should hardly consider any Gentleman as having given himself a fair chance of forming a just opinion who had not attentively read the whole of the testimony to which he was then alluding. It would be observed, that he confined his remarks to what was printed. As to the present opinions of more than one eminent person, the House must have seen that there were various representations. The reporters differed. As to the effect of these opinions, he did not mean to say that they could be considered as binding upon those who were competent to form better, but when authorities were quoted the other way, and particularly the pamphlet to which allusion had been made, it did seem singular to attach no weight to the information obtained under that inquiry, and that too given under the solemnity of an oath. He perceived with regret that no hon. Member who had preceded him had held out a hope that the quantity of business in the Court of Chancery was on the decline. No such good was announced to the country, at present or in prospect. On the contrary, all the documents, returns, and opinions, unfortunately tended to show a great and rapid increase. This subject had been so often before the House, and admitted of so little doubt or question, that it would be inexcusable to enlarge upon it. He would briefly relate some leading particulars. In 1823 the late Lord Gifford stated (doubtless from information) that in the year 1810, 1,700 bills had been filed, and in 1823, 2,400! Comparing the period between 1790 and 1800 with that from 1810 to 1822, the number of Commissions of Bankrupt sued out had actually been doubled. At the time of the report of the Committee in 1811, there were 114 causes standing before the Lord Chancellor. At the last return (viz. up to the first day of Trinity Term last) the amount was tripled. In the middle of the last century, he believed the sum standing in the name of the Accountant general of the Court of Chancery was under two millions; it had been lately stated in that House to be now about forty millions. But it was unnecessary to go further. The result was undeniable. With fluctuations and variations such as might be expected, the increase was, in the main, uniform. That those fluctuations might occur occasionally, and yet lead to no certain conclusion as to a permanent result, was apparent from this,—that he had been informed, from authority he could not question, that the Master of the Rolls, in the sittings after Hilary Term, 1828, had actually cleared his paper altogether; and there were then upwards of 300 "matters and things," as he, (Mr. Williams) believed the phrase in those Courts to be, standing at the Rolls to be disposed of; obviously an accident. The adverse argument overlooked the numbers that would be suitors, if time and expense were diminished, and hearing and decision more prompt. How many persons, if possessed only of moderate prudence, abstained from seeking redress rather than plunge themselves into the sea of difficulties and anxieties which they heard in all quarters beset those who fancied that they were seeking relief? It could not be doubted that the quantity of business would increase with the facilities of despatching it. This was so natural and reasonable that it seemed hardly to stand in need of any confirmation. It did so happen, however, that the fact in this case coincided with the speculation. Those Gentlemen who would take the trouble of referring to the returns, would find the increase that obtained when the Vice-chancellor came into full operation. His occupation at first had, of course, been in reducing arrears, and it was not until after some time that a judgment could be formed. He had then before him a statement of the quantity of business in the years 1814, 1815, 1816, and the years 1827, 1828, and 1829 respectively,—during the former period the arrears having been in a course of reduction. As between the two periods (without troubling the House with each item, which he, nevertheless, had before him), the increase in the latter had been very nearly a third. And more recently still, the Vice-chancellor, having sat during sixteen holidays since Christmas last, had cleared off all the bankrupt petitions, and within a fortnight of the time he was addressing the House, sixty-two bankrupt petitions had been set down. As the work was done more sprung up. Those who founded their arguments upon the reduction of the business, spoke also with praise of the great exertion by which it had been done. His hon. friend, Mr. Ferguson, had more than once noticed and praised the "extraordinary efforts," by which the Judges had been able to bring down the amount. He could not, of course, be so unreasonable and perverse as to deny its appropriate praise to industry and labour; but he must at the same time observe, that this very exertion, so much commended, bespoke pressure, and he doubted exceedingly whether it could be desirable in any point of view, even that of expense, to have the judicial power of the country upon such a scale as to be compelled to strike off business at a heat. Two hasty and inconsiderate decrees might well be supposed to be accompanied with costs equal to the annual salary of a Judge. He was not so sanguine as to suppose that he could in that House, or elsewhere, create any sensibility about the fate or condition of lawyers, knowing well that no emotion would be felt if they were tossed in a string into the Red Sea; otherwise, he should question the policy, whilst the profession retained the name of liberal, of converting them into mere drudges. It was also of some public concern (and that, he was aware, was the only point on which he had any right to claim any attention), that there should be men of some acquirements, if not out of the profession, at least in it, which could not be if it was all work and no reflection. In a word, in his opinion, the judicial power ought to be rather above than below the actual demand of the country. He had observed that his hon. friend opposite (Mr. Spence) had overlooked all tendency in the present Bills, or any of them, to alleviate, in any degree, the mischiefs in the Masters' and Registrar's Offices. The great expense incurred by the length of the decree, and by the copy-money in the Masters' Office, he had often noticed, giving instances of it, and he saw nothing but what tended to confirm his opinion. He then held in his hand a pamphlet, said to have been written by a solicitor, Mr. Taylor he believed; but, by whomsoever written, he would say that it was justly entitled to great consideration for the useful and practical hints which it contained. [The hon. Member then read from that pamphlet extracts of considerable length, proving, by instances, the actual expense to the suitor from taking copies, and the endless repetition of it,—in one case a payment having been made for the fifth time.] He had also very recently been informed by a solicitor, upon whom he could depend, that the taxation of the bill, in the memorable Portsmouth cause, had actually cost more than 700*l.*, and that 400*l.* had been paid for copy-money, and that too for what was not wanted, for the taxation might well have been performed from the original bill itself. He must beg pardon of his hon. friend, the Solicitor General, and the member for Rippon (Mr. Spence) but his ignorant aversion to the Court of Chancery, as administered, remained unimpaired. He, however, was far from agreeing with the latter that these measures had no tendency to afford any remedy, for that, in his judgment, they all had. And first, as to the principal measure, the appointment of a fourth Judge. Formerly, before the pressure increased, and "extraordinary efforts" became necessary, the decrees and orders were settled in Court, leaving nothing doubtful or uncertain. Then the labour of the Registrar was rather that of an amanuensis than a draftsman, every thing being done to his hand. Now, much subsequent difficulty had sprung up; nobody knew what, or how much, precisely, had been decided; disputes arose, amounting nearly to something more than wordy warfare, in the presence of the Registrar himself (at least so it appeared from the evidence of Mr. Jackson) as to mere matter of fact increasing trouble and expenditure of time. In the Master's Office, also, the more precise the decree, the more easy of course was his duty. The want of precision, and of sufficient comprehensiveness and distinctness led to evils of no small magnitude. If the report was imperfect for want of sufficient precision, it might, when the whole cause came to be reviewed upon "further directions," be impossible to carry it into effect, and then it was not for him to say what waste to the suitors might be occasioned. If the report was made upon an erroneous principle, "exceptions" to that report brought under review and reconsideration at last, what ought, with more deliberation, to have been settled at first,—that is, the true scope and bearing of the case. Whether, as is the state of things now, when the Judges were compelled to run a race against time, the mischiefs pointed out must not often happen, he must leave to any Gentleman's own reflection to determine, as, also whether more command over the business, by additional help, must not have a direct tendency to relief. With respect to the two accompanying measures, he was surprised that his hon. friend (Mr. Spence) should have overlooked them altogether, seeing that nothing could be more likely to abridge orders and decrees, and strip them of superfluous and costly redundancy, and to take away the mischief of copy-money, than the making it no longer the interest, in the one case and in the other, that surplusage and copy-money should be continued. In each of these Bills there was a provision to withdraw the fees from their present destination, and apply them to another fund, over which the persons deriving benefit now from the grievances complained of would no longer have any control, and who would, therefore, cease to have any motive for perpetuating them. He should here take leave to notice a supposed correction of his hon. friend, the member for Wootton Bassett, (Mr. Twiss) as to the average time of cases standing in the paper of the Master of the Rolls and the Vice-chancellor, particularly the latter. The correction was, indeed, of a very fringy and limited nature, inasmuch as it respected a very small portion of the whole mass of business, namely, "exceptions and further directions," and would not have been noticed at all if it had not been received with so much acclamation. When his hon. friend had stated that the average run of cases before the Vice-chancellor were six terms old, and before the Master of the Rolls, four (if he mistook not), his hon. friend opposite (Mr. Spence) threw a doubt upon its accuracy by stating, that (in the instance of the former) the head of "exceptions and further directions" was reduced to nothing, or next to it; and so they were; but then, by a recent order of the Vice-chancellor, they had been transferred from the particular into his general paper, and were accordingly found in that paper which he then held in his hand, after upwards of 260 cases, which must, in due course, be disposed of before them. He would then appeal to his hon. friend opposite (Mr. Spence) and begged to ask whether he was not aware that all improvements were, very usually, assailed in quarters perhaps unforeseen and unknown, with numerous difficulties and impediments;—whether the wish to amend and reform, in whatever quarter entertained, and however sincerely, was not, in practice, very different from accomplishment? whether, from that very circumstance, there was not a necessity to qualify and compromise, or abandon all chance whatsoever? and whether his hon. friend, as a real legal reformer, (which he cheerfully gave him credit for being) ought, consistently with that view and object, to be so nice and exceptious as to the precise point at which the improvement began, and the extent to which it was at once carried; or rather, whether he should not, if there were a progress at all, suspend his objection, from an apprehension that, if every zealous friend to improvement should oppose because he did not wholly approve, a final stop should be put to all improvement, and friends and enemies be mingled confusedly together. Such at least was his apprehension, and which would certainly be far from alleviated if he found the opposition of his hon. friend continued. With respect to the reduction, upon which such reliance had been placed, he had before observed that there had been, in other instances, fluctuations, and that they might be expected. It seemed probable that the quantity of business growing up would be much the same; but that the rate at which the whole amount to be disposed of, or, as it was generally termed, "arrears" are got rid of, must, obviously, vary very much. It was plain that there could be no comparison between the periods comprised in the three months, beginning with August and ending with October, and in the three months reckoned from the 1st of February. And accordingly it would be found, upon reference to the Returns, that in the years 1827, 1828, 1829, and 1830 respectively, in three cases out of four, the whole amount was less on the first day of Easter than on the first day of Hilary Term. It was to be observed also, that, according to the latest Return, there was some increase in the whole quantity of business, though he candidly admitted, not enough to place any great reliance upon. His hon. friend (Mr. Ferguson) had entered pretty much at large into the composition of many of the Appeal Courts in this country. The constitution of the highest Court of Appeal, the House of Lords, and the coarse and clumsy fiction by which all the Peers were supposed competent to sit in judgment (as the last resort too) upon the decisions of other Courts, composed, really, of lawyers, had not failed to attract, for a long time, much observation and remark. Supposing, however, his hon. friend's suggestions upon this subject entitled to due consideration (and he was far from saying that they were not) they did not appear to have any particular application to the present subject, but so far as they had, they seemed to furnish an argument in favour of the principal measure, because, so far as the Court of Chancery was concerned, the formation of an Appellate Court, consisting of the Lord Chancellor and the two other Judges, to review the decisions of the third, according to the scheme opened by the Solicitor General, did seem a very considerable improvement. His hon. friend (Sir Charles Wetherell) amongst his many other objections, had enlarged, with much variety, upon the disastrous effects, as to the Chancellor, which were likely to result if the measure should be carried.—That the head of the Court of Chancery would inevitably perish, as a lawyer, by the very assistance which it was intended he should receive; that his being confined to the duties of an Appellate Judge would limit his experience and confine his knowledge, and that, henceforth, farewell to all recommendations in the choice of a Chancellor from professional attainments; for political sagacity, and adroitness and power in debate, would be the desired objects in the choice. Giving his hon. friend full credit for the powers of illustration with which he enforced this topic, he must take leave to suggest that the objection came too late. The mischief was done, and the evil incurred. Those distinguished persons who had opposed the Vice-chancellor's Bill—Sir Samuel Romilly, Mr. Canning, the hon. member for Dorsetshire, (Mr. Bankes) and the present Master of the Rolls—took that very ground, whilst yet they were in time. The former had said that the scheme was one to give the Lord Chancellor holidays, and the suitors appeals; and the prediction was speedily verified, for very soon the item "Cause" disappeared from the Chancellor's paper of business. He therefore was, and long had been, an Appellate Judge, and nothing could make him more so. He was ready spoiled to their hands, and might, according to his hon. friend's argument, be considered as incurable. To him, therefore, it did seem, that the only effect upon the Lord Chancellor must be to diminish his leisure and add to his occupation, by adding to the number of appeals. He was far from venturing to cast any censure when Gentlemen who might be sanguine enough to expect immediate benefit from any measure, of whatever description. He would, however, appeal to all those who had attempted to carry, unaided, any scheme of improvement, whether the difficulties to be encountered did not lead to a conclusion that it was advisable to lend a hand to whatever was going on, provided it were only in advance, though not entirely satisfactory. The present measures ought not to be viewed separately, but in conjunction with others which had been announced in what had been called by the hon. member for Clare, the "seductive" speech of the right hon. Secretary, at the commencement of the Session. There was ground, then, for hope. Time was, indeed, when the most sanguine might well have despaired, and that was (and within his short recollection of Parliament) when any statement of grievance, however true, public, and notorious, was met by flat contradiction and peremptory denial. Admission went a good way: the principle became recognized. His hon. friend (Mr. Spence), in his great and deserved, but perhaps somewhat too exclusive, aversion to the Masters' Offices, had not hesitated to declare, that if the Solicitor General would only cleanse those Augean stables, he would class him amongst "the highest benefactors of mankind"—language by which had been designated the heroes and demigods of fabulous antiquity.

> "Hâc arte Pollux et vagus *Hercules*
> Innixus arces attigit igneas."

For his part, he should not grudge the Solicitor General his immortality upon the proposed terms. A no small share of his own worship must, however, be reserved for him who should abridge the jurisdiction of the Court of Chancery, however obtained, by concession or by assumption; who should rid the country of the double jurisdiction of Law and Equity, not (as had been arbitrarily assumed) harmoniously combining, but thwarting and traversing each other in many instances; who should bring back to the Courts of Common-law some of their abandoned or lost jurisdiction—a jurisdiction (as the pamphlet which he had before commended had shewn) more cheaply and expeditiously exercised than the jurisdiction by which it had been superseded. For which reason he heard with great delight, in conformity to an old prepossession of his, the right hon. Baronet advert "To the expediency of investing the superior Courts with new powers of a summary and equitable kind, calculated to economise time and money in legal proceedings, and to prevent the too frequent resort to the aid of Courts of Equity,"—a purpose to which he would at all times be ready to give his most zealous though subordinate assistance. The Court of Chancery, as now administered,—with its bill, a thrice told story—its answer, a recipe for making a party state what was not the truth, with all the guilt, but without the responsibility of perjury—its commissions of endless variety, duration, and expense—its cumbrous scheme of depositions, with those appurtenances of offices to which so much allusion had been made, was a fit arena for a contest of giants in fortune. The Duke of Bedford and Lord Fitzwilliam, Mr. Baring and Mr. Rothschild, if they had a dispute, might (or rather some of their posterity might) obtain a decision at an expense befitting them, according to the most perfect scheme of absolute wisdom. But for the 500*l*. disputants the Court was not open, except as the London Tavern was open, according to the taunt and sarcasm of Horne Tooke. That the work of reformation was seriously begun, he firmly believed. How far it was practicable, by any compendious method, to abridge the quantity of litigation, he would not undertake to say. Whatever thanks (and he thought they were great) were due to Mr. Humphreys for introducing into public discussion and notice a plan of such a comprehensive nature, which was calculated to remove so many grounds of expensive controversy, it would be presumptuous in him when he knew what authorities were against the practicability of that scheme, to express an opinion in its favour; he would venture merely to give utterance to a hope that it might hereafter be looked upon in a more favourable point of view. He felt that it would be an attempt at gross deception and imposture, to pretend that these measures would effect all that was to be wished: he considered them as a part of a system. He believed them to be beneficial in themselves; and they were still further recommended for adoption to the House, by being accompanied with a promise of other similar measures. They were a practical recognition that improvement was necessary, and a pledge for its future progress, and from a fear of arresting that, he should certainly support the measures and vote against the Motion.

Mr. *R. Grant* said, that notwithstanding all he could do, by a most violent effort of mind, to keep alive a conviction, that the hon. and learned Member was in favour of the Bill, yet, through the greater part of the hon. and learned Gentleman's speech was he well persuaded that he was arguing against the side which he professed to advocate: for all that the hon. and learned Gentleman had urged respecting the terrible delay and defective system of the Chancery Court only proved the necessity of inquiry and deliberate consideration, not of erecting a new Court upon the principles of the old one, to ensure further delay. The hon. and learned Gentleman had talked of the march of the proceedings proposed by his Majesty's Government, towards legal reform; but in his eyes they were no march at all; they were merely a contemptible turning round without making any advance. The measures proposed were not, in his opinion, suitable either to the wants of the country or of the suitors of the Court of Chancery; nor were they such as were demanded from the faithful followers of the recommendation contained in the Speech from the Throne. He felt that he had at best only a superficial knowledge on this subject; and when he declared himself opposed to any measure supported by his very learned and much respected friend, the Solicitor General, it gave him considerable pain. He knew that a legal reform was a very arduous thing; and he also knew that it would, on the contrary, be a matter of extreme facility if it could be effected by the means which were proposed; and the difficulties would indeed be slight if they could be at once removed by the precipitate and ill-advised legislation to which the House was then called upon to assent. He would not, however, dwell upon this subject, for the proposition of the hon. member for Plympton sufficiently explained his view of the measure; and it might be, perhaps, enough for him to say, that it had his cordial support. That hon. and learned Member did not say that he would not, under any condition, assent to an increase in the number of Judges; but he contended that this addition should be the result of mature deliberation, not the prelude to legal reform. The hon. and learned Member sought for delay, but not for indefinite delay. He entirely concurred with him; and his view of the measure was precisely this. The arguments urged in favour of this change were the positive necessity arising from an accumulation of business in the Court, for which there were no means of providing. Now this, he conceived, was attempted to be set up without the semblance of a cause. The hon. Gentleman who had advocated this additional appointment travelled back two centuries in the history of the Court, and alluding to all the Lord Chancellors, from my Lord Bacon to my Lord Lyndhurst, declared that this new Judge would have been a specific for the evils which had existed. Now really he could not see the benefit of wandering in this juridical circle. The advantage of this ramble through antiquity he was entirely at a loss to understand. A light, it appeared, had at length broken in upon his Majesty's Government: but why had it not broken in two years before, when the hon. member for Durham introduced his motion, and supported it by arguments as cogent as any he had since heard advanced upon the subject? He did not want to hear the history of our legislation respecting the Court of Chancery for the last two centuries, but merely for the last two years. Why did not Ministers then at once accede to those alleviations two years ago, when the delays in this Court were made a subject of debate, and when the delay between the setting down of a cause and its being brought to trial, which was now strongly insisted upon, was insisted upon by the hon. members for Durham and Wootton Basset, in an equally forcible manner? The hon. member for Wootton Basset declared that he was consistent; but in making his own vindication he pronounced a bitter satire upon his colleagues in office. The hon. Member opposite (Mr. Williams) had, in contending that further inquiry was unnecessary, asked, had they forgotten the labours of the Commission of 1811? Certainly not; but it as simply a Commission to inquire into the Judges' fees and emoluments. Again, the Commission of 1825, to which he had also alluded, had, in fact, no reference to the subject before them. The hon. and learned Member had touched upon his long absence from those walls, and seemed to contend that his labours in the cause of legal reform were forgotten by the House, while he spoke that night as if he had forgotten them himself; but he could assure the hon. Member that his labours were not forgotten—they were of too high a character not to establish a permanent memory of him in that assemblage. He might say to him (he dared not quote the original, though he might venture on the translation)—

"Thou sleep'st, Achilles—sound thy sleep may be;
But ne'er can we forget thy deeds or thee."

And surely he himself could not forget his own pungent satire upon the 190,000 propositions of their Commissioners in 1825, which he declared he had never received, although he now taunted hon. Members with not bearing them in recollection. Then, as to the evidence of the witnesses, on which the hon. and learned Member so much insisted. It was true that Mr. Bickersteth had recommended some of the measures which it was proposed to adopt; but had he not made many other important suggestions which were negatived? Had he not recommended the separation of the jurisdiction in bankruptcies and other causes from the Court of Chancery? Undoubtedly he had; and, consequently, they were now presented with a fragment of the remedies he proposed for the existing evils. The hon. member for Plympton did not declare that no reform was necessary; he merely contended that they should not set about making alterations, till inquiries had been instituted; and that, in carrying into execution what might be recommended after inquiry, they should not pause a moment. Next, as to the evidence of Mr. Bell, and the Vice-chancellor, and others, upon which the hon. and learned Member had enlarged, it was but fair to consider that every one of them had since retracted their opinions; and were they to abide by their first or their last declarations?—by the one, which might be considered the result of a crude impression, or by the other, which might be regarded as the decision of their matured judgment? For himself he did not deem it quite fair, when men had retracted an opinion, to endeavour still to affix it to them. Were they to determine the question of the necessity of this new Judge upon evidence? If so, were they to take the evidence of the Vice-chancellor, who had expressed an opinion opposed to it? Were they to adopt that of Mr. Bell, who had likewise opposed the appointment—or were they to take the opinion of the Chancery Commissioners, who had expressed no opinion at all? Was he to forget the sentiments that had been expressed on this subject by some who were now high in authority in his Majesty's Government? Was he to forget the opinion of the Solicitor General?—to be sure it might be said that the opinion of that hon. and learned Gentleman had since been changed, but there was possibly a balance of altered opinions upon this subject. Two years ago the hon. and learned Gentleman had said that there was no necessity for an increase of the number of Judges. It was impossible to know what had since occurred to alter the state of things, and create a necessity, the existence of which at that time had been positively denied. Was he not to take the opinion of the Attorney General, expressed on the same occasion, who stated then, that which might be taken as a text upon this subject, namely, that "he would not contend that the Court of Chancery did not require improvement, but that that improvement was not to be effected by an increase of the number of the Judges in that Court, but by an alteration in the forms of its procedure?" The fact was, too, that in a very high quarter the same opinion had once been entertained—and yet, in twelve months after that opinion had been expressed, this very measure had been concocted in the other House of Parliament. He asked what had happened within the last year to make this measure, which had once before been proposed, and dropped, and which was now again proposed, he knew not why;—he asked what had happened to make it at present so irresistibly necessary? They were told at the same moment at which the eminent person who had chalked out this measure first brought it forward, that, not content with a legislative alteration, he had proposed an alteration in the practical forms of the Court; he had addressed himself to the Master of the Rolls, with a view to change the hours during which the business of that Court was transacted. That alteration was a measure more important than the Members of the House who were not lawyers would imagine, for it created two distinct Bars, and the prospect of a new Judge was at once dropped. The proposition of that eminent person came before the House indeed, but having once made its appearance, it died, and was heard of no more. Not so with the suggestion to the Master of the Rolls. That able and excellent Judge, with a promptitude, and (considering his state of health) with a degree of fortitude that did him honour, at once adopted the proposal, and changed the hours of his sitting. The arrear of causes vanished before him, and the success of that auxiliary measure was at once complete. The Vice-chancellor also had adopted a measure that rendered the increase of the number of Equity Judges quite unnecessary. He had sat in vacation to hear bankrupt petitions, and that branch of business, previously so much in arrear, was in a short time considerably reduced. But then it was said that these were cases of extraordinary exertion, and that the House would not and could not think of quoting as rules and examples those great exertions, which must be considered as exceptions, and that these preposterous sittings must not always be expected. His answer was, that these extraordinary exertions would not only not be expected, but would not be required in future, for the same arrear of causes would not again exist. On this subject he would quote a very high authority, who had thus expressed himself—"My proposition is this, that when you have subdued the present extraordinary arrear by extraordinary exertions, you may proceed in the ordinary course, and that a new Judge is not necessary to effect that object." If he might quote the same high authority, when declaring his opinion in another place, only two months before, it fully confirmed his view; the highest legal authority then declared "that if the arrears were once got rid of, he believed they might be kept down by the present strength of the Court of Chancery."* In his opinion, the measure now proposed not only would not reduce the difficulties under which the suitor laboured, but would rather augment them; an opinion which was supported by that of the hon. and learned member for Rippon. If the fact stated by that hon. Member was true, namely, that the body of the measure now before the House would not touch the evils of the Master's Office, and of the Registrar's Office, it was not only not good for anything, but was in itself an evil of no inconsiderable magnitude, since all that it would do would be to plunge the unfortunate suitor eighteen months earlier into those offices, where the justice of his claims would be suffocated in delay. He could not avoid, at this period of the discussion, bearing his ready and willing testimony to the totally different character of the reforms introduced into the law by the right hon. Secretary for the Home Department; and he certainly should be surprised if that right hon. Gentleman gave his cordial support to a measure which undoubtedly would not diminish, but might possibly increase, the evils now felt in the progress of a suit in Chancery. It seemed that the hon. and learned member for Rippon had made a slight mistake in asserting that only four cases had been set down for further directions, since the number really amounted to sixteen; but though the statement of the number was erroneous, he believed it would be found that there was an equally important error committed by those on the other side, who had asserted that these cases for further directions had been in the paper for six terms. If he was rightly informed, they had only been in the paper one term.

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* Parl. Debates, Vol. xxiii. Sess. 1830, p. 683.

The *Solicitor General* said, that they would be in the paper six terms before they were heard.

Mr. *R. Grant* observed, that he must have had the gift of prophecy to be enabled to discover such a fact; and from the activity recently displayed in the Court of Chancery, he felt somewhat disposed to doubt the assertion of the hon. and learned Gentleman. The arrear of causes was, as he understood by the observations of the hon. and learned member for Plympton, 713, and they had been reduced to that number from 1061 at Hilary Term. He further understood, that even since the measure itself had been introduced, eighty-three more had disappeared; and he warned the Government, that if they did not hasten its adoption, the whole arrear would be swept away, and by the time the new Judge was appointed, there would not be a single cause left for them to try. To adopt the illustration of the hon. and learned Member for Plympton, he would be *Vacua Rex solus in aulâ*. He would ask the House how far they thought this remedy would meet the evils which existed, chiefly in the Masters' and Registrar's Offices? The expense to the suitor was terribly increased by the length of the recitals which the clerks in the Registrar's Office deemed necessary. The hon. and learned Gentleman who proposed the measure expected to remedy this abuse by giving these officers salaries instead of fees. But, unfortunately, the fees were still to be received, and the clerks were to account for them, and to carry them to a fund mentioned in the Bill. The clerks' interest in these fees did not cease by giving them a salary; for the fees were to form a fund, out of which their superannuations were to be paid, and the amount of these superannuations was to depend on an order of the Chancellor, and, to a considerable degree, of course, on the extent of the fund. All the clerks, therefore, had a common interest that the Registrar's fund should be as large as possible. Another objection to the present measure was, that as the clerks, whose business was now stated to be beyond their means of performance of it, were to be limited in their labour to certain hours, and were no longer to receive fees to expedite the business that must pass through their hands, or to reward them for extra labour, the stimulus to such exertion would be taken away, and the delay in the Registrar's Office would be greater than ever. Upon this subject Mr. Bell had said, "The Registrar's bill appears to me wholly objectionable, for reasons, some of which I have stated before the Chancery Commissioners, and especially as I believe that the business of the office will never be regularly and properly done if the officers are to be paid by a salary." He had said that, not because payment by a salary was in itself objectionable, but because the forms of the office, and the small number of men employed in it, would render it impossible for them to do all the work required within the time allowed at present. The measure, therefore, appeared in this respect not likely to be efficient. The Master's Office was the source of most of the great evils that were now the subject of complaint. The statement of that able and excellent officer, Master Stephen, in his answers to the Commissioners of the Court of Chancery, was quite conclusive upon that subject. He stated, that from the time an order was made for a reference to the Master till he made his report, a great delay ensued, and a great expense was incurred, and he believed that the chief delay in the progress of a suit took place in the Master's Office. That view of the subject was fully confirmed by the speech of the present Lord Chancellor, then Sir John Copley, in 1827, who, on introducing a bill relating to this Court, observed, "I believe that the great secret of the delay in the proceedings in the Court of Chancery resolve themselves into the delay occurring in the course of the proceedings before the Master." Every one must feel that the expense of these proceedings was in itself a very considerable evil, but its effects were, if possible, a greater evil, for they produced a very considerable increase of delay, since a suitor was often obliged to pause in the midst of a suit for want of the means to carry it forward through the expensive process of the Master's Office. There was no remedy in this Bill against such an evil. The same observations that he had before made with respect to clerks in the Registrar's Office having an interest to increase the superannuation fund, applied with equal force to the clerks in the Master's Office; and of the latter, Master Stephen himself had said, "That while the office was constituted as at present, there was no sufficient stimulus to the clerks to drive on a cause." Master Stephen had once made the experiment of putting a case into the hands of one particular clerk in the Master's Office. It was the case of Simcox *v.* Bell, which was referred to the Master's Office in 1802. The Report was not made till 1822, and not till 1823 were the funds in Court divided among the claimants, who were 115 in number, and who received 360*l.* each. He would leave it to the House to appreciate the injustice and injury occasioned to the claimants in that case. The stimulus which Master Stephen represented as not existing in the Master's Office was certainly not provided by this Bill, and the evil of delay would remain as great as ever; and as he had before said, the only effect of this Bill would be, to send the unfortunate suitors eighteen months sooner into this office. In his opinion the reform of this Court ought to begin at the other end. The first proposition was that of the hon. and learned Member, and that was, that it was necessary to make the addition of one Judge to the Court of Chancery; but they had heard a second proposition, the effect of which would be to transfer a considerable portion of the Equity jurisdiction to the Courts of Common Law, or, in other words, to take away half the trade of the new Judge before his appointment. The transfer of business to the Court of Common Pleas, from the Courts of Equity, was one of which all Equity lawyers were disposed to underrate the value, but of which, he might say, the Common Lawyers thought very differently. Another point was the appeal business in the House of Lords which occupied the Chancellor a great deal too much. In support of this opinion he would beg leave to quote the opinion of the highest living authority, he meant the late Lord Chancellor (Eldon), who said, "that it was highly important that some arrangements should be made for restoring the Chancellor from the appeal business in the House of Lords to the original business in his own Court." The present Bill, however, utterly omitted such an alteration—it provided no means of getting rid of the appeals, but made provisions that would create double the number of those entered at present. As matters now stood, the Chancellor hardly exercised his authority enough in the original jurisdiction of his Court to teach him, if an Equity lawyer, the proper business of his Court; certainly not enough to teach the proper business of that Court to any lawyer, whatever might be his abilities and his learning, who might be selected from the practitioners in the Common Law Court to preside in the Court of Chancery. There was one other question on which he wished to make a few remarks, though he approached its discussion with reluctance. One question put to the Commissioners was, whether there was any portion of the ordinary jurisdiction of the Chancellor that could be properly separated from his Court? That was precisely the inquiry on which, with all respect for their talents and learning, he must say they had acquitted themselves least to the satisfaction of anybody. That question was, how far the Chancellor's present jurisdiction in bankruptcy could be separated from the Great Seal? The opinion he held on that subject was not one which he had hastily formed—he had arrived at it after due deliberation, and had hitherto abstained from expressing it only because he had hoped that the whole of this important subject would be properly treated in the conclusion of the Commissioners' Inquiry. At length, indeed, the subject had been mentioned, but the change had been avoided by the proposal of the present measure. There were arrangements within the reach of those who had the power of adopting them, by which four-fifths of the bankruptcy business might be removed, so as to prevent its interfering, as it now did, with the other business of the Court. He thought that the opinion of the Commissioners was capable of much improvement on this point; but he would not now enter into that discussion, though he wished not to be prejudiced by having passed it over at that moment. The great question was, what ought to be the subject and what the mode of appeal from the decision of the Commissioners to that of the Great Seal? At present an appeal was, in fact, a rehearing upon new evidence, and was decided, not upon an examination of witnesses, but by a confused and tumultuary battle of affidavits. Instead of clearing away the dross of the case, the present mode was to collect all the dross, and throw it in the way of an equitable decision. Instead of this practice, he thought that every thing that was now heard before the Chancellor ought to go, in the first instance, before the Commissioners, and should then be decided, if any appeal took place, upon the same evidence on which they had originally formed their opinion.—As the case at present stood, the Chancellor was only able to give thirty days to the hearing of appeals, while twenty-five days were devoted to bankruptcy cases; now if by any plan this latter number could be reduced to five, it would be equal to making him a present of twenty days; and he would then have fifty days for the hearing of appeals. This of itself appeared to him to be sufficient ground for one branch of inquiry. He agreed with the hon. Gentleman who had preceded him, that they ought not to take on themselves to ascribe motives for what was proposed; but this he must say—that a measure like the present formed a great and striking contrast to the reforms in the law that had been introduced by the right hon. baronet. With those reforms they might not, perhaps, all agree, but it was impossible not to see that the intentions on which they were founded were of the most laudable nature. He, therefore should be very glad if the right hon. Baronet would look into the whole question of Equity as well as of Law; and then he was persuaded that he should have his vote against the present measure as most inefficacious, for it did not pretend to meddle with that enormously increasing mass of business, which, till it was conquered by some feasible means, must leave them only on the threshold of any real reform of the Court of Chancery.

Mr. *Dowdeswell* defended the conduct of the Masters in Chancery with respect to the mode in which business was transacted in their office, particularly with respect to copy-money and warrants; and with respect to the latter, observed, that if there was any fault, it rested with the Solicitors, for the Masters were always in their office by ten o'clock; at which hour, however, it frequently happened that the Solicitors did not choose to attend, but preferred allowing the day to slip by rather than inconvenience themselves.

Mr. *M. A. Taylor* said, that after the many years during which he had called the attention of the House to the important subject of the Court of Chancery, he should not have risen to address it upon the present occasion, had he not felt himself imperatively called upon to state the opinions which he entertained upon the Equity Bills now before the House. He had so often fought this battle alone, that he should have been glad to have left the task of fighting it upon this occasion to his able coadjutors; but the turn which the debate had taken compelled him to buckle on his armour afresh, and to re-appear in that field where he had already once and again broken a lance with his present opponents. Before he entered—and on the present occasion he did not intend to enter at large—on the existing condition of business in the Court of Chancery, he had wished to let other Gentlemen declare their opinions upon it, in order that the statement of the expensive delays to which it gave rise might not, as heretofore, rest upon his humble opinion alone. His hon. and learned friend on the other side of the House had risen to vindicate the conduct of the Masters of Chancery in their respective offices. With all deference to his hon. and learned friend, he must inform him, that his vindication of those learned personages was quite uncalled for. He had never heard any imputation cast upon their personal character: he had never heard any invidious remarks thrown out against their professional conduct: if he had, he should have risen in his place in Parliament to state that, from his own personal knowledge, there never were men in their situations of greater personal integrity and intelligence. He did not find fault with the Masters of the Court of Chancery, but with the system of their offices, which he considered to be a nuisance to the country. Look at the warrants which were taken out for attendance in their offices—look at the short time allowed for the discussion of the most intricate points before them. An hour elapses, and then, no matter how far the inquiry may have gone, or how important the matter may be with which it is connected, another case is called on. It was not, however, by the warrants issued, but by the office copies of proceedings in their offices that they made their emoluments; and it was to that part of the system that he most objected. He wished the office of Master in Chancery to be made as respectable as possible in the eyes of the public. He therefore was anxious to see the Masters sitting in an open Court, instead of a private room, and making their decisions known to the public at large, instead of delivering them only in the presence of the interested parties. Why, he would ask, were public functionaries, of their great judicial importance, to decide upon all cases in a private room? If that question could be discussed when this measure was regularly brought before the House, he would propose an Amendment, which should bring it fairly under consideration. He had not expected that he should that night have had occasion to enter into a discussion of the mode in which business was conducted in the Master's Office. The real question, in his opinion, regarding the Masters in Chancery, was simply this, ought they to be paid by salary, or by fees? He thought that they ought to be paid by salary; for if men of respectability could not be induced to perform their duty by a regard to their characters and situation, he was sure that they would not be induced to perform it by any dirty fees which might be thrown into their pockets. The present debate had occupied much of the time of the House, and had taken a very wide and desultory range. His hon. and learned friend, the Solicitor General, had gone into an historical detail of what had occurred two centuries ago, for the purpose of showing that even then two assistant Judges were deemed necessary for the proper transaction of business in the Court of Chancery. His hon. and learned friend seemed to think that such a measure of relief was necessary now, because it had been formerly proposed. But his hon. and learned friend seemed to have forgotten that though the proposition was made formerly, it was met by a negative, and that it had been reprobated as regularly as it had been brought forward during the two centuries through which he had travelled. The House had now, he said, once more a Bill before it for the appointment of an additional Judge in the Court of Chancery, without having before it a single reason for making any such appointment. His hon. and learned friend, the Solicitor General, in the course of his acute and able speech—and he gladly gave to that speech the credit which it merited—seemed to imply that it was quite a hardship to introduce into this Debate all the objections which had been made for the last 200 years against the Court of Chancery, and had more than insinuated that by pursuing such a course, hon. Members were derogating from the dignity of the High Court of Chancery. He (Mr. M. A. Taylor) denied that this was the case. Quite the reverse; it was the High Court of Chancery, which, by its system of expense and delay, was derogating from its own dignity. He knew that the subject which he was discussing was a dry subject—perhaps a painful one: certainly it was both a dry and a painful subject to him, for he had now been discussing it for more than one-and-twenty years; and he was not surprised that some Members betrayed symptoms of impatience. He contended, however, that during that time he had done nothing to detract from the respect due to the Court of Chancery; all that he had attempted was this—when he had seen a nuisance, he had thought it necessary that it should be abated. On what principle, he would ask, had the Court of Chancery, or those who presided over it, a right to complain of the objections which had been urged against it? He called upon the House to mark the whole tenor of the proceedings respecting it. For one-and-twenty years that Court had been complained of. What redress had been devised for such a grievance in that time? The House of Lords had brought in a bill, which had afterwards passed the House of Commons, appointing the Vice-chancellor as an additional Judge in the Court of Chancery. That bill was opposed by Mr. Canning and other Gentlemen of great talent and influence in Parliament, not on the ground that the Court of Chancery did not want assistance, but on account of the nature of the appointment of the new Judge. There was a division upon the bill in that House, and the division turned upon a motion which he made; not upon the question whether a Vice-chancellor should be appointed, but whether an additional Judge was not wanted in cases of bankruptcy. Sir Samuel Romilly agreed with him in the opinion, that such a Judge was wanted in bankruptcy; and so did Mr. Canning. Indeed, in no other mode had he ever recognized the necessity of giving an additional Judge to the Court of Chancery. In the various motions which he had made upon this subject, he had argued that there should be additional means given to that Court, by separating from it the business in bankruptcy, by appointing another Speaker for the House of Lords, and by appointing a commission to sit regularly, with the Lord Chancellor at the head of it, to hear all appeals to the House of Lords. The motion which he had submitted to the House in the year 1828, which the government of that day opposed, and which he lost only by some forty odd votes, was to this effect—"That it appears to this House, from the papers laid on the Table, as well as from the report of the Commissioners appointed to inquire into the practice of the High Court of Chancery, that notwithstanding the establishment of the office of Vice-chancellor in 1813, further steps are necessary to advance the general interest of suitors in Equity, to provide for the more prompt decision of cases, and to enable the Court of Chancery effectually to discharge the important duties connected with its jurisdiction." He had on that occasion proposed to make the Lord Chancellor a Judge of appeal in Equity and the occupant of the Woolsack in the House of Lords. He wished to make a real Court of Appeal from the High Court of Chancery. He had maintained that it was quite absurd and ridiculous to say that there was such a Court of Appeal now; he had said, "that it was an appeal from a Judge in a tie-wig in Lincoln's-inn-hall to the same Judge in a full-bottom wig in the House of Lords, with a snoring Bishop perhaps on one side, and a Scotch peer on the other, wishing him and the cause together at the devil." He should like to know on what principle this Bill stood now. In the year 1828, the pressure on the Court of Chancery was great. It was worth their while to consider whether it had increased since. Figures could not be disputed; and he would therefore refer to them rather than to any hypothetical argument of his own. It appeared from papers on the Table of the House, that on the first day of Hilary Term, 1830, there stood on the paper of the Lord Chancellor, of re-hearings and appeals, ninety-seven; before the Vice-chancellor, there stood of causes, 397; of pleas and demurrers, nine; of exceptions and further directions, 103. Before the Master of the Rolls there stood, of re-hearings, three; of exceptions and further directions, 111; and of causes, 351—making a total in the three Courts at the commencement of last Hilary Term of 1,071. On the first day of Easter, 1830, there stood on the paper of the Lord Chancellor, of re-hearings and appeals, not ninety-seven, but eighty-nine; before the Vice-chancellor, of causes, exceptions, and further directions, 336, and of pleas and demurrers, eleven; and before the Master of the Rolls, causes, exceptions, and further directions, 316; the whole amounting in the three Courts to 722; whereas on the first day of the preceding Hilary Term they amounted to 1,071: so that in the course of that one Term there was a decrease of no less than 349. On the first day of Trinity Term, 1830, there stood on the paper of the Lord Chancellor, of re-hearings and appeals, ninety-six; before the Vice-chancellor of causes, exceptions, and further directions, 362; and before the Master of the Rolls, 307; amounting in the whole to 765. So that there had been an increase of only forty in the last term. Since that time the Master of the Rolls had disposed of eighty cases. In 1828, there was an arrear of 258 cases in bankruptcy—at this time there was not an arrear of one. He should think that this was demonstration sufficient that the arrear of business was fast decreasing. What, then, would this fourth Judge, if he should be appointed, have to do? The Master of the Rolls was now an efficient Judge in the Court of Chancery—efficient, not only from his high character, great ability, vast erudition, and unvaried promptitude, but also from the great exertions which he had recently made. Though he was not called upon to sit in a morning, he had voluntarily imposed that duty upon himself; he had formed a third Court of Equity, and had left nothing undone which human ingenuity could execute. The Lord Chancellor had likewise got down the arrear of business in his Court. The Vice-chancellor had executed his duty to perfection. And he (Mr. M. A. Taylor) believed that if the Sitting of the Court lasted one month longer, there would be no arrears except in appeals before the Lord Chancellor. If this fourth Judge were to be appointed for the purpose of relieving the Lord Chancellor from his duties in his own Courts, he must say that, even upon that ground, he should object to his appointment. He thought that it would be better to let the Lord Chancellor sit in his own court, and relieve him from his duties in the House of Lords, than to recur to this additional Judge. The hon. Member next proceeded to declare, that it was not so much of the delay as of the expense of the system of the Court of Chancery that he complained. His hon. and learned friend, the member for Rippon, had explained the expense of that Court from the filing of the bill to the taking out of the answer in the most lucid and striking manner, in the very admirable speech which he had recently delivered. Without dwelling further on the observations of his hon. and learned friend, he would only ask the House whether it was aware of the situation in which suitors of that Court were placed. If any man from invidious motives filed a bill against another, his first object would be to lengthen his bill to the utmost, for it could not be too generally known, that before the defendant's answer could be put in, the plantiff's bill must be taken off the file, which sometimes could not be done without incurring an expense of 60*l.* or 70*l.* Was that an evil or was it not? If it were an evil, was there any remedy for it in the bill on the Table? [*"Hear" from the Solicitor General.*] He hailed that cheer as an admission that this evil was remedied. If it were, he would take it as an omen that further amendments were in store for the country. Then again there was the system of interrogatories. Was that no evil? He would not however proceed further in pointing out evils which were as clear as the sun at noon-day. He would content himself for the present with calling upon the Government to inform him who were the supporters, and who were the opponents, of this measure. The House had been told that this Bill was necessary. If it were necessary, how came it to pass that all the principal men in the profession were opposed to it? Was Lord Eldon an inconsiderable personage? That individual who had himself presided for so many years in the Court of Chancery, who had expressed great anxiety for the appointment of a Vice-chancellor, had expressly stated in the House of Lords that this was a bill which ought not to pass, and which would be injurious to the country if it did pass. Was the Master of the Rolls an inconsiderable personage? That learned individual, whose erudition was unrivalled, and whose judgment was most sound and discriminating,—that learned individual had told them that there was, in his opinion, no occasion for this measure. The Vice-chancellor, a man of honour and veracity, and a lawyer too of the first eminence, had said—and he knew this, because the Vice-chancellor had said it to himself—that there was no occasion for the Bill at all; and that it would do much mischief by creating appeals. Mr. Bell, who had been one of the most eminent practitioners in that Court, from which he had now retired, entertained similar sentiments respecting it. He would venture to say, that not only the learned personages whose names he had mentioned, but also twenty-eight out of every thirty barristers practising in the Court of Chancery, were opposed to the measure before the House. He wished to know why *viva voce* testimony was not admitted in the Court of Chancery. Until that was done, it would be impossible to avoid a great part of the expense attending suits in that Court. This point had been very ably discussed in the pamphlets written by Messrs. Cooper and Parkes, which he would recommend to the attentive perusal of hon. Members. He was confident, that that which he had so long and repeatedly complained of would not be remedied by the Bill which had been brought down from the other House. It was impossible that the Bill could carry with it the opinion of the public, and without that it would be worthless. In his Judgment the hon. and learned member for Plympton had laid good grounds for his Amendment, and he meant to give that his most cordial support.

Mr. *D. W. Harvey* was perfectly aware of the difficulty which Members found in securing the attention of that House to any subject upon which they might have occasion to address it, unless they had previously lent themselves to the views either of the one side of the House or of the other; but he hoped that one who, for upwards of twenty years, had been practically engaged in affairs connected with the proceedings in that Court, might have some claim to the indulgent hearing which was necessary for the purpose of showing, as he expected to be able to do, that the Bill then presented for the decision of the House, was one wholly inadequate to the purposes which were sought to be accomplished through its means. The defects in the Court of Chancery, numerous and appalling as they were, were defects in no wise appertaining to the individuals who filled judicial situations in that Court, but arose from, and were inherent in the very system itself. If the Bills now presented to the House brought before it a subject that, for the first time, was to be discussed, it might be said, with some degree of truth, that the measure was bold and original, and the arrangements proposed abundantly sufficient to meet the existing emergency; but when it was recollected that, for more than twenty years past, the question had been under discussion, it could not but be felt that the present propositions were wholly insufficient for the purposes to which they were directed—namely, to remedy the existing evils in the Court of Chancery, the evils of destructive delay, and consuming costs. The amount of these tremendous evils, and their long continuance, would not, he believed, at that time of day, be disputed. He believed that it would not be denied by any person acquainted practically with the business of the Court of Chancery, that delay and expense were, in every suit, the objects aimed at by one side or the other, and that facilities for the attainment of that object existed in the Court of Chancery in England, to a degree never before paralleled. In illustration of the truth of which, he here repeated the assertion. Mr. Cooper had declared, with perfect correctness, that a legatee being entitled to a legacy, suppose 10,000*l.*, recoverable of real estate, could not obtain payment of that legacy in less than eight years. It was therefore not to be endured, that with respect to delay and costs, things should remain as they were for any time longer. He begged the House not to suppose that he put himself in opposition to the present Bill from any other motive than a sincere conviction, that so far from effecting the ends for which it was introduced, its failure, if passed into a law, would be signal and decisive. He would briefly call the attention of the House to a few facts, but he begged the Members not to be apprehensive that he should, to any unreasonable extent, encroach upon their indulgence; before doing so, however, he begged to assure them that he would most readily co-operate with the measures of Government, if he could bring himself to think that they were at all suited to the present condition of the Courts of Equity. He would now call their attention to a few facts, prefacing them with a reference to the opinion of a lawyer of the highest eminence—a lawyer whose station placed him at the summit of the profession—he alluded to no less a person than the Lord Chancellor himself, as given upon the introduction of a bill into that House in a former Session; and accepting the declarations of the noble and learned Lord, made at that period, as founded in truth, he must upon those opinions pronounce the present measure to be unwise, inexpedient, and insufficient. On the occasion in question, the noble and learned Lord had said, that the recommendations of the Commissioners, when adopted, would be enough to remove the evils of the Court of Chancery, and that less would be insufficient. Now, he begged the House to observe, that the first of their recommendations was, that the subpœna should be intelligible; that that proceeding which was preliminary to all the others, should at least be capable of being understood by the parties to whom it was addressed; and to this he particularly begged the attention of the hon. and learned Gentleman opposite (the Solicitor General); for not only was that proposition not carried into effect, but not one of the eight propositions then made was attempted to be acted on. So far from the subpœna affording the defendant any notice of the bill which he was called on to answer, the very identical form was preserved in that proceeding which had been in use for two centuries. The second recommendation was, that means should be taken for the purpose of accelerating the answer of the defendant, and for the purpose of ennabling the plaintiff to bring him into the contempt of the Court if he did not answer; yet not one step was made towards the accomplishment of that object. He would ask the hon. and learned member for Plympton, whether means had been taken for the adoption of another of those recommendations—namely, that which stated that the time consumed by the length and number of the speeches ought to be diminished—a recommendation that would be not altogether inapplicable to the proceedings of that House. With a view to that object, it was proposed that only two Counsel should be heard on either side—had any, the slightest attempt been made to effect that—had any arrangement of such a nature, from that hour to the present, found its way into the Court of Chancery. Had they not seen lately twelve Counsel arguing in that Court that the verdict of eleven men was not as good as the verdict of twelve? The third proposition was, that Counsel should be heard in rotation. He would ask, had that regulation been introduced? The junior members of the profession, to their cost, knew well that it never had. Another of the regulations which, like the last, had never been acted on, was, that the Masters should no longer be passive agents, but should rise into the rank and importance of active and responsible Judges, discharging functions suited to their acknowledged learning and great emoluments. The plan of Lord Lyndhurst was, that there should be ten Masters, and not only that they should be Masters in Chancery, but masters of their business. He also proposed, that with respect to bankruptcy cases, there should be seven Commissioners to determine, in the first instance, whether or not there were grounds of appeal to the Court, by which it was expected that four-fifths of the business of the Court would be disposed of; and with respect to appeals generally, it was proposed, for the purpose of putting an end to so many vexatious appeals, that none should be admitted which had not the sanction of two Counsel—that regulation would certainly be wholesome were it practicable. The noble and learned Lord, on the occasion of which he spoke, went on to say that the Vice-chancellor's Court needed no alteration at all—that any thing he proposed was for the improvement of the Lord Chancellor's Court, and that the changes he recommended there would, he had no doubt, prove sufficient to save much of the time of the Court, and to reduce the arrear of causes. He hoped, that by diminishing the number of Counsel, by limiting the business, and simplifying it, that the arrear of 109 causes would speedily disappear. He said to the House, let but the present plan be carried into execution, and if in its workings it be not found advantageous, then any further requisite alterations might be made. Those were the sentiments of the present Lord Chancellor, and it would be for the House to judge how far the sentiments were in accordance with a support of the Bill under consideration. The country was already in possession of four Equity Judges, including the Chief Baron of the Exchequer, while only two of them were in full activity. Let the exertions of the whole four be called forth, and when they were found insufficient, but not until then, a new Equity Judge might be appointed. He would maintain, against any opposition, that the appointment of new Judges could be of no avail so long as the system remained in its present state. The hon. member for Durham had said that twenty-eight out of thirty of the Chancery Barristers were opposed to the Bill. He believed that their opposition was founded upon an apprehension that their emoluments would be diminished by the establishment of a new Court. Now that there were only three Courts, the Counsel took briefs in every cause in every Court; but if there were a fourth Court, they would find it necessary to confine their practice to one or two Courts: so far the arrangement would be advantageous to suitors. Another hon. and learned Member said, that, with this improvement, at the end of the Term there would not be a single cause untried. That would be a case of which legal history supplied no precedent. But why would it be? The causes would not be decided—no more decided than a question was decided in that House when it was sent before a Committee. The causes were sent to the Master, and there they remained in that living tomb awaiting no resurrection: they were buried in the ten mausoleums in Chancery-buildings. But one learned Gentleman said, that the causes would be decided so rapidly, that there would be no occasion for a fifth Judge; but if that hon. Member took a chariot at Whitechapel Church to come to the Parliament House, and was seven hours in performing the journey, it would be of no consequence to him where he was stopped, whether it were Aldgate, or St. Paul's Church-yard, or in Fleet-street; if he were seven hours coming, he would feel it to be a great evil. This was like a Chancery suit—you got in by a subpœna, and you got out by a judgment; and many a day elasped before the close of the journey. The plan now to give relief was by partial acceleration. There were three distinct stages in a Chancery suit—the first was from its birth till it came into Court, then from the Court there was its itinerancy to the Master's Office, there was then its vagrancy there, its being set down for further directions, to be spoken to—a motion to be heard concerning it—a re-hearing—and at the end of eight or ten years it reached its final stage—the judgment. It did not seem to him to form any part of the Bill then before the House, to save time in those different stages, which was a saving of expense. There was a plan, and he approved of it, to abolish the four Clerks in the Exchequer, and why not abolish the Masters in Chancery? He was aware that he was addressing the House on a dry technical subject, but the House must remember that it was equally important. The amount of property in Chancery was equal to two-thirds of the whole currency of the kingdom. It was impossible to bring Equity within the bounds of law; property was so complicated, its relations were so numerous, that it must be subject to an equitable jurisdiction; it was the more necessary, therefore, that this Court should be reformed—that its march should be accelerated, and that it should be both certain and speedy in its operation. There was nothing but poverty which could congratulate itself on being free from this Court; all property was sucked into its vortex. It was, therefore, one of the greatest practical questions which could be brought before the House, and was well deserving its attention. He was ready to go any length with those who proposed to reform that Court, but he did not think the present measure well calculated to effect that object. If they agreed to these measures, and hereafter endeavoured to introduce others of a more decided character, what appeals would not the Ministers make to them? Would they not say "We have not yet brought into operation the wholesome measures of 1830? You must give them fair play; you must see what effect they will have on the Registrar's and Masters' Offices, and it will be some years before their utility or futility can be known." Thus the House would be prevented from making any real and effectual effort to alter the system beneficially. He could not conceive how it required an Act of Parliament to regulate the Registrar's Office. What was the Registrar? He was an officer who sat, like the officers in that House, and took down the decrees given by the Chancellor. Now, he held in his hand a decretal order—not a final decree, for he believed it would be a very difficult matter for him to produce a document of that kind. This decretal order was for referring certain accounts relative to an estate from the Chancellor to the Master. It was borne to the grave of the Master in 1825, and he did not know whether any epitaph had been yet written on it. It was, as the House saw, of enormous size. If the Registrar were paid as much for brevity as he was paid for cramming in words, it would be a great saving both of time and expense. The Bill, it was said, did effect a saving of time, but it retained the fees. Now, he would give these persons a motive for hastening their labours, by paying each Master a certain sum on making his Report.

The *Solicitor General* said, across the Table, to do that was proposed by one of the measures then before the House.

Mr. *D. W. Harvey*: That then was one of the benefits of discussion; the knowledge of that took away many of his objections to the Bills, and made him ready to give them his support. The question then was confined to the Judgeship, and that was all to be decided on one point. Were the four Judges, if they were in efficient operation, capable of discharging all the duties necessary? In one sense they were, and in another they were not. They were not, if the Courts of Equity were allowed to remain as they now are; but if those Courts were reformed, the four Judges would be abundantly adequate to the purpose. If the House wished to save the suitors' time, it must begin with the causes in their first stage. At present, if a man had defrauded the children intrusted to his guardianship, and wished to delay giving in an account, he might postpone doing so if he had money, though the cause were carried into Chancery, for three years. Was not that a disgrace? Ought the claims of justice to be so long unattended to, and the usurpations of injustice so long protected? Was there to be no remedy for this? It was not possible that that House, if it did its duty, could suffer this state of things to continue. He had stated his view of this important subject, and he apologised for detaining the House so long. That Court, if it were reformed, might be a blessing to the country;—if it were allowed to remain unreformed, it would continue, as at present, a curse and a terror to the whole people.

Sir *Robert Peel* said, that he was sorry to interpose between the long array of legal combatants who had addressed the House, but there were, he thought, some considerations, not legal, which might with propriety be addressed to the House by a layman. It was a question in which they were all deeply interested; their comforts and their property were deeply involved in it, and therefore, though they were not legal men, they might form an opinion concerning it. The question for the House to decide was, not whether the Bill would prevent delay, but whether a preliminary obstacle should be suffered to prevent the consideration even of a measure which had been sent down from the other House of Parliament, and the object of which was to diminish the expense and shorten the proceedings in a suit in Chancery. He considered that the discussion at present was, whether or not they would proceed, and take into consideration, according to the ordinary forms, a Bill to improve the Court of Chancery? All the measures, however, for the improvement of that Court were met, by what? By a demand for further inquiry. He thought that at present a practical measure was called for; and when it was produced, it was found that inquiry was wanted. After all the debates on this subject, to ask for further inquiry when a practical measure was proposed, was to imitate the course of those alarming proceedings in the Court of Chancery which they were all ready to condemn. It was fifteen years since that cause had been first set down for a hearing; there was lying before him the first volume of the Commissioners' Report; it had been set down again and again for further exceptions, for rehearings to be spoken to; again there was no decision; and the House wanted to follow the example of the Court of Chancery; and though one half of the Report, made three years before, contained no less than 569 pages, the House wanted further inquiry. There were three measures proposed—the first was, to diminish the interval between the setting down of a cause and the hearing of it; the second was, to lessen the delay which intervened before passing the decree; and the third had for its object, to diminish the motives now attributed (though he believed unjustly) to the Masters for delay, on account of delay turning to their own profit. These measures were calculated to prevent delay; and now, after so much inquiry, to stop them, on the ground of further inquiry being necessary, seemed to him a solemn mockery. To show the necessity of the measures, what, he would ask, was the state of business in the Court of Chancery? Had the business of the Court of Chancery increased? He would not go back 200 years, he would take the business before the Court during the last three years—1827, 1828, and 1829, and compare it with the business before the Court in 1814, 1815, and 1816, the three years immediately subsequent to the creation of the Vice-chancellor. The number of causes set down for hearing of all descriptions, in these three years, was 4,801, while the number set down in 1827, 1828, and 1829, was 6,772, showing an actual increase in the business of the Court, arising from the increase of the people, and the increase of wealth, and the increase of litigation, of 1,971 causes in the three last years, as compared to the three years ending with 1816. He stated this as a strong presumption that additional aid was necessary to get through the business. What was the arrear of business? He would take the first Seal before Easter during the last four years, and see what was the total number of causes standing on the paper ready for hearing, but which could not be heard. In 1827, on the first Seal before Easter, including all causes set down, the arrear was 742; in 1828 it was 588; in 1829 it was 853; and in 1830, on the first Seal before Easter, it was 655. The parties were anxious to have a hearing—they were ready—but, on an average, there were 600 causes remaining unheard, from the impossibility of hearing them. That the time was come when some remedy ought to be applied could not, he thought be doubted, though there might be some difference of opinion as to the remedy to be applied. It was the duty of the House to provide against further delay. What was the state of the business at present? The number of causes of all descriptions entered on the Vice-chancellor's paper, in January and February, 1829, was 265. The average of the time before these causes could be heard was one year and a quarter, although they were all ready for hearing. It would be fifteen months before a proper opportunity arrived for hearing any one of these causes after it had been set down. Were those facts not sufficient to call for a remedy? That was a question which he thought satisfactorily answered. The next question was, is the remedy proposed the fitting one? The object of the measure was to appoint an additional Judge. He wished to meet the objections to this proposition with candour. It was said that in 1828 he had opposed a similar motion. He had not done so. There had been no such proposition. He had moved the previous question on a motion of the hon. Gentleman's, but that was not for the appointment of an additional Judge. But even if he were not clear of all such objections, he claimed for himself the liberty of deciding all questions by the circumstances under which they were brought before the House for discussion; and he contended that it was not proper to bind down Members to the words of their former speeches. He begged therefore to decide the question of this additional Judge without any reference to his own previous votes, or the previous speeches of other hon. Members. The hon. member for Kircudbright (Mr. Ferguson) had declared, if it could be proved to his satisfaction that the present triumph over the arrear of business in the Court of Chancery was only temporary, he would vote for the appointment of a new Judge. Now, he would show that the impression on that arrear was temporary; he would prove that the business of the Court of Chancery was increasing, and he would claim that hon. Member's vote. Since the Returns connected with the business of that Court had been presented to the House, the number of causes on the paper had materially increased. On the first of June, in Trinity Term, there were down for hearing before the Vice-chancellor, an arrear of 353 causes. Since that time there had been thirteen disposed of, but thirty-two new causes had been set down; so that the number of causes, according to that return, was increased nearly three-fold. In the same manner, in the Court of the Master of the Rolls, there were on the same day 305 causes, or whatever else they were called; of these there had been disposed of since that time fifty, and there were entered on the paper seventy. This was the boasted diminution of the arrear of causes of which they had heard so much. this was the prospect they had of getting rid of the delays of the Court of Chancery. Independent of all this, however, he doubted the policy or the expediency of trusting to the continuance of the good health of the Judge, or the unceasable exertion of his faculties in the constant discharge of the arduous duties of his office. He doubted much whether it were politic or prudent, either in official or in legal situations, to keep those who held them fourteen or fifteen hours a day employed in the mere drudgery of their department. He confessed it appeared to him that such a course was calculated to disqualify them for the performance of some of the more important and higher duties of their station—an opinion in which he was confirmed by Mr. Burke, who, in a letter to a member of the French Convention, declared that the judgment of those who were so laboriously employed must be deficient in that wisdom and forethought which should distinguish such a situation. It had been objected, also, that the number of appeals which must be made to the decisions of inferior Judges was an argument against the appointment of another Judge; but he believed that the benefit derived from such appeals, when under proper restrictions, counter-balanced, in a great degree, any evils which might arise from their number. Another objection to this measure was, that the additional Judge would be the mere deputy of the Lord Chancellor, a mere Jack Rugby. He confessed he did not well know what the allusion of the hon. and learned member for Plympton aimed at by this Jack Rugby; but he thought he could find enough in the speech of Mr. Wetherell, in 1813, to neutralize the objections of Sir Charles Wetherell, in 1830. The hon. and learned Member, on the debate on the appointment of the Vice-chancellor in 1813, had spoken a speech in favour of the appointment of a new Judge so good, that he wished he had as good a one on his side now. The hon. and learned Member at that time contended, as he found it reported in Hansard's Parliamentary Debates, "that the Bill offered the most efficacious and constitutional means for redressing the grievances under which the subjects of these realms now laboured from the necessary delay and arrear of business in the Court of Chancery, and House of Lords. He denied that the new Officer would be either inefficient or degraded, and on the contrary, argued that men of competent legal knowledge, high character, and excellent abilities, would be found eligible to and ready to undertake the discharge of its important functions. He justified the application of the Dead-fund to the payment of part of the salary of the new officer, and closed his observations, by warmly approving of every part of the bill." His hon. and learned friend might oppose the Bill, but he was not justified, after having expressed such an opinion, to declare that it would degrade the Lord Chancellor. After observing that the increase of the business of the Court year after year as fully justified the appointment of an additional Judge now as it did then, the right hon. Baronet entreated the House not to lose the good which this Bill held out the hope of attaining, because it might not go the full length which some sanguine persons anticipated, and that, too, when no other proposition of any feasible nature was before them, to prevent the delays which had been so often a subject of complaint.

Above all, he implored them not to yield to the demand for a new and indefinite inquiry, at a time when they had before them a bill, founded on the report of those able Commissioners who had inquired into the whole of the practice of the Courts, and whose recommendations formed the substance of the Bill. He thought he had done enough to prove that he was the friend of gradual reform in the administration of the law. This was one of the measures by which he hoped to lay the foundation of that reform, and if there were any who objected to the permanent expense, they would learn with satisfaction, that when the temporary relief had been afforded to the Judges of the Court, the Bill left it in the power of his Majesty, on the resignation or death of the new Judge, to dispense with the necessity of appointing a successor. He trusted, therefore, that no amendment would be allowed to interfere with an object so really beneficial; and being himself deeply impressed with a sense of its importance, he should at once move, as an Amendment on the Amendment of the hon. and learned Gentleman (Sir C. Wetherell), "That the Bill be now read a second time."

Mr. *Brougham* said, he could not allow that opportunity to pass without offering a few observations on a question which, with the Amendment of the hon. member for Plympton, put to the test the professions of the Government with respect to the reform of the Court of Chancery. The right hon. Baronet (Sir R. Peel) had with great plausibility put forth the argument of the increase of the business of the Court as a reason for the appointment of an additional Judge; but a reply to that might be found, prompt and decisive, which was, that there was no increase, and that they were now called on to consider the Bill under circumstances such as they had never known before. Was there, he would ask, no change since the year 1811, when the Committee was appointed? Was there no change since the year 1824, when that Commission sat, the bulky volumes of whose reports had been shaken at them by the right hon. Gentleman, to deter them from entering on any new inquiry, and to throw ridicule on the proposition of the member for Plympton? A great change had taken place—new circumstances had called for new measures, and the Court of Chancery was to be considered, with respect to its Judges, in a very different light now from that in which it was looked at by the Commissioners in 1825. In the year 1827 the Lord Chancellor obtained his confidence by a pledge, of which he now retained the most vivid recollection. "Give me," said that learned Lord immediately after he was called on to fill the place of his eminently learned and venerable predecessor.—"Give me" said he, in these remarkable and emphatic words, "give me but a little time—spare me but this one season, and in the face of Parliament, and of the country, and of the suitors, and of the profession, I promise to mature and bring to perfection a measure which shall secure the despatch of all business in the Court of Chancery regularly, faithfully, and accurately!" These were the words of the noble Lord. He had treasured them up from that time. They had given the noble Lord, not one year, which was all he asked, but three years, and now his pledge was in the act of being redeemed. And in what was that done by the Bill before them? In that Bill he found no evidence of the changes to be produced by the deliberation and judgment which was to be applied to the subject. In it he found no evidence of the application of those beautiful talents which his hon. friend, the member for Durham (Mr. M. A. Taylor) had so highly eulogised. In it he found no proof of the exertion of the talents of a man young in years and in office, and fired with a desire to distinguish himself. No changes were attempted except in the situation of some few persons who sat in a dark corner by themselves, and they too were changed, not for good, they were merely allowed to take their pay, not by fees, but by a fixed salary, which was to be paid them regularly whether they did their duty or not. All the worst part of that sink of delay, and storehouse of vexation, the Master's Office, was to continue as it was. The Court was to continue as it had been. Nothing was to be found of the ardour of the young Judge, young in years and in office, and who might at least have felt the ambition to distinguish himself. Nothing was to be found of the Judge holding the highest office, the office deservedly considered the first object and the greatest reward of the profession, except the desire to receive the fees, patronage; and emoluments thereof, without exercising any of the duties, or fulfilling any of the obligations thereunto belonging.

He gave the noble and learned Lord credit, on his appointment, for a desire to attempt something. He knew his extent of experience, his sagacity, and his learning. He thought he might trust his industry and sense of duty. At all events, he thought he could trust his ambition for an active and zealous discharge of the functions of that office—the highest in professional desire—the highest, as it ought to be, in professional emolument—and that he would not slumber in that post which had been so efficiently filled by his illustrious and venerable predecessor. He thought all this. He expected all the performance it implied. He believed the pledge the noble and learned Lord had given; but it would be his fault if he was betrayed into further confidence; or if he could, after such experience of the learned Lord's professions, be brought to lend himself to the act of adding to the public burthens, by enabling the learned Lord to lead a life of indolence, and of the enjoyment of all the pleasures of power and patronage, by paying for his use another deputy. He would show by figures, that the business of the Court did not require such an accessory. He accepted the challenge on that point which had been given by his hon. friend, who seemed to have indulged himself in a kind of Midsummer Night's Dream on the occasion, quite as baseless, but not half so entertaining, as the dream of the poet. The right hon. Baronet had attempted to show that the causes of the Court must be increased in number since the commencement of Trinity Term, because a greater number had been set down for hearing than the number disposed of. The right hon. Gentleman said that thirteen had been disposed of in the Vice-chancellor's Court, and thirty-two entered for hearing; but it did not follow that because thirty-two were entered, thirty-two must come to a hearing. On the contrary, it was probable that not even a third of them would reach that stage; and when the right hon. Gentleman stated that thirteen were heard, it must, by all who knew the Court, be taken as extremely probable that the Judge was making head against the business, and that the arrear was in progress of diminution. It might as well be said there were arrears in that Court the very name of which at so late an hour of the night created a yawn, in that blessed place of slumber, the Judges of which had no duty to perform except that of receiving their salary—whose drowsy meditations were never broken in upon by speech of Counsel—whom it was as difficult to catch sitting as it was to catch partridges sitting in November — who were no sooner on their bench than they were off it again—whose vacation months differed only in name from the other months of the year—whose only change was from a scarlet cloak to a purple one: it might as well be said that there was a pressure in that same Court of Exchequer which called for relief; it might as well be said, that because fifteen revenue causes had been entered in that Court during the last fortnight, and only ten had been tried, the arrears of that Court could not be kept down. Yet his right hon. and learned friend the Attorney-general, and his hon. and learned friend, the Solicitor-general, well knew that in that blessed abode of sloth the business of the revenue was going down in a descending series until it would reach Zero, or that negative quantity which was less than nothing. His hon. and learned friend the member for Winchelsea, tired of detailing the delays of the Court of Chancery, as he had done in that admirable speech of his in 1824, for which he felt the greatest obligation to him, and not less so for the triumphant answer which it afforded to his speech of that night—his hon. and learned friend, who had changed about from attacking useless offices to become their patron—his hon. and learned friend, with great force and dexterity—for who could know so well the strength and weakness of an argument as he who had tried all sides of it?—his hon. and learned friend had said, and the sentiment had been echoed by the right hon. Gentleman opposite, that they ought not to tax public servants beyond their powers; and had spoken of the temporary but extraordinary exertions of two of the excellent Judges of the Courts of Equity, especially of the Master of the Rolls, as something, the repetition of which must not be hoped for, and on which therefore, if the House relied, more arrears than ever would accumulate in the Courts of Equity. What then had been the extraordinary exertions of the Master of the Rolls? That he had sat in his Court after breakfast, instead of sitting in it after dinner; that he had sat for six hours in a day instead of four; and that he had devoted two or three Saints' days and other holidays to hearing business. He was not one of those who were for having any of the Judges worked out, and made to die of hard labour. He cordially united with the right hon. Gentleman, that it was important that judicial offices should be filled by men of enlarged minds; and that men of enlarged minds should not be treated like galley slaves. In all that he heartily concurred; and he deprecated as much as the right hon. Gentleman the making it incumbent on any of the Judges, on the noble and learned person who held the Great Seal, or on any of his deputies, to let himself be drawn away too much by business from necessary relaxation, or, what was still more necessary, from liberal studies. But he could not see the application of this to the existing fact. With respect to the Vice-chancellor, any person having less the resemblance of a man that was overworked or deprived of necessary relaxation he never saw; and he was sure that hon. and learned individual would laugh to scorn any one who asserted that he was in such a condition, or that he had made any exertions in the present year which he was not ready to repeat next year, and again, and again, if required. And as to the Master of the Rolls, was he a slave? In no other way, undoubtedly, than as they had been told was the case with some of the negro slaves, who worked hard all day, in order that they might amuse themselves at night. And as for the Lord Chancellor, he (Mr. Brougham) knew the arch and good-humoured laugh that would mantle in his face if he heard himself termed an object of compassion, an unfortunate being, who was never seen except surrounded by musty Bills of Chancery, or plunged in the recesses of his law library. These three learned persons, the House might depend upon it, indulged in all the innocent gaieties of society; and were by no means subjected to that perennial toil which the right hon. Gentleman opposite seemed to have taken it on trust formed the character of their lives and conversation. The House might laugh; but this was no jest. It was the very gist of the argument. The supporters of the Bill said, "there is a want of Judges;" the answer was "there are enough;" to this it was replied "the present Judges are over-worked, they have no wholesome recreation, and they are objects of compassion;" and then came the rejoinder, "they are not over-worked, they have abundant recreation, and they are objects of envy." This seemed ludicrous; but it was not his fault; it was the fault of those who asserted what no one could prove. They said there was a temporary arrear, and therefore that there ought to be an additional and permanent Judge. If there were a hill, an ascent of a quarter of a mile, up which it was thought that three horses could not draw a carriage, what would be thought of the owner of the carriage, who, instead of hiring an additional horse to assist in the ascent of that hill, were to buy one and keep him all the days of his life, merely for the service of a quarter of a mile? Could anything be more absurd than that, for that slight effort, an animal should be purchased, to be immediately afterwards, perhaps, shot lest he should eat his ears off? Yes, there was one thing more absurd. The carriage had got up the hill before the additional horse was thought of! The arrears were all gone! Those two strong and excellent horses, the Vice-chancellor and the Master of the Rolls, had drawn the carriage to the summit, and were neighing with delight, & now it was proposed to put another horse into the team to trot down with them and it on the other side! The measure before them had other ramifications which deserved the most serious consideration. The constitution of the High Court of Chancery was a matter of the utmost importance. Whatever arrears might be cleared away in it—however numerous the abuses that might be removed, even if they were all remedied—if every access to the Court were freed from all obstacle—if it were rendered the most perfect tribunal that the wit of man could devise—if it were encumbered with no delay, no inordinate expense, no obscurity, no doubt, no vexation—if (and in the advantage of that proposition he entirely concurred) the business which it had drawn from the Courts of Common Law were restored to those Courts—still it would be a vain and idle imagination to suppose that as long as there were any trusts in law—as long as there were any infants to be protected—as long as there were any guardians to be watched (he would say nothing of executors), as long as there were any other matters of administration, as well as matters of trial—it would be a vain and idle imagination to suppose that the Court of Chancery could cease to exist. That being the case, it was of the utmost importance to all, it was of the utmost importance to the suitors, it was of the utmost importance to the profession of the law, that the highest station in that Court should be filled by a Judge fully competent to discharge the duties of his office. The jurisdiction of the Lord Chancellor was superior to all ordinary jurisdiction; he had to dispense the highest and most delicate patronage of the Crown; he had to preside in the House of Lords; he had other official duties of the gravest character. Could he, therefore, regard with any feeling but jealousy and repugnance a measure, the natural and inevitable tendency of which was to convert the office of the Lord High Chancellor of England into a judicial sinecure? If the Lord Chancellor's duties were confined to sitting in the House of Lords, he would soon become a mere Judge of Appeal—he would soon cease to be what the Constitution prescribed he ought to be—the first lawyer in the country—filling the first situation in that Court of which he ought to be the ornament. Even as a Judge of Appeal, they might set him up, and plant him on the Woolsack; they might give him power; but would he have any authority? Would he satisfy the Courts below? Would he satisfy the suitors? Would he satisfy the profession? See the course which would then be taken in the appointment of a Lord Chancellor. He would be chosen because he was a cunning intriguer behind the curtain; because he was a skilful debater in the House of Lords. Would such a man be qualified to decide appeals from the Vice-chancellor—from the Master of the Rolls—or from any other Judge whatever? Would he be qualified to grapple with the difficulties of a complicated case? Would he have any confidence in himself? Certainly not; because he would well know that the profession had no confidence in him. Such a Lord Chancellor, he would engage to say, would confirm at least nineteen out of twenty appeals that came before him. That which ought to be the resort of suitors, the comptroller of Judges, and the security of right, the power of the appellate jurisdiction would exist only in name. He had been told, that in 1811, on the proposal for appointing a Vice-chancellor, Romilly, Canning, Leach, had held the same language; and he had also been told, in triumph, to look at the result. A sort of pity had been expressed for the error of the illustrious dead. It had been said, "see how, when even the wisest men overstep the bounds of prudence, and pretend to prophesy respecting the future, facts contradict their predictions!" But had facts contradicted those predictions? Had the appointment of a Vice-chancellor produced no effect such as had been anticipated from it? If he were to select from the life of his illustrious and lamented friend (Sir Samuel Romilly) one passage in which he had evinced more wisdom than any other, it would be that in which he who had been the first to hazard the prediction alluded to, had uttered it. Sir Samuel Romilly had declared, that if they created a Vice-chancellor they would soon have a less able man to fill the office of Lord Chancellor than when the Lord Chancellor had only the Master of the Rolls to assist him. Now what was the fact? He (Mr. Brougham) had a great respect for the present Lord Chancellor. In some respects that noble and learned Lord had disappointed him, but not in others. He was unwilling to speak of him with harshness. He should be unwilling to do so, were it only for the personal esteem which he entertained towards him. But this he would say—that flattery never was carried further than it would be by those, who, knowing the difference between him and his predecessor, should still declare that the prediction of Sir Samuel Romilly, that the appointment of a Vice-chancellor would facilitate the placing of the Great Seal in the hands of a man, in whose hands, but for that appointment, it would not have been placed, had not been accomplished. Somebody had asked if appeals had increased? Had they not? What did the present Lord Chancellor do but hear appeals? On that fact he rested the claim of Sir Samuel Romilly to a wise foresight. Had any Lord Chancellor ever heard so few causes? Had any Lord Chancellor ever done so little Equity business, or confined himself so closely to appeals, as the present? Even Lord Eldon, after the year 1813, when he received the assistance of the Vice-chancellor, heard only a fourth of the number of causes, but he had heard eight or ten times the number of appeals. It was true, that he had heard all the bankrupt petitions. But then it must be recollected that to the hearing of those petitions large fees were attached. It somehow or other happened, that whatever arrears there might be in other business, there was never any arrear in the disposal of bankrupt petitions. He did not wish to speak harshly of Lord Eldon. Sensible as he was of that noble and learned Lord's defects when in office, he was also sensible of his many and exalted accomplishments; he was sensible of his profound legal knowledge. But he must nevertheless say, that the manner in which Lord Eldon used to dispose of the bankrupt petitions formed a striking contrast to the manner in which he disposed of the other business that came before him. Let the proposed measure be adopted, and the Court of Chancery would soon become little more than a Court of Appeal. Much better would it be to retrace their steps. Should he be asked if he was opposed in all cases to the creation of an additional Judge, his answer would be, " Show me the necessity, and I will immediately assent to the proposition." But here there was no necessity. They were beginning at the wrong end. They should begin by reforming the Court of Chancery, by smoothing the avenues to it, by rendering cheaper its proceedings, by diminishing the delays which beset the suitor, from the moment at which he arrived in the Court, to the distant period at which his grandson or some more remote descendant received the judgment on his case. That would be infinitely better than to grant the Lord Chancellor additional help, when he had already journeymen and deputies, at a great expense to the public, who had brought down the arrears to a less amount than they had ever been since the Court of Chancery was established. Instead of relieving the Lord Chancellor, their care ought to be to relieve the suitors in Chancery. If the Lord Chancellor must be relieved, at least let him only proceed *pari passu* with the unfortunate victims of his jurisdiction. He put it to the House—he put it to the country—he put it especially to those hon. Members who, in all probability, before many months had elapsed, would have to meet their constituents—if it would be decorous to grant the great relief prayed for by the Lord Chancellor, without granting even the slightest relief to the unhappy suitor in the Court of Chancery. Even the other measures proposed appeared to him to be of very doubtful improvement. The one referred to the paying the Registrar in a different manner; the other proposed the paying of the Master by salary, instead of fees. Now, fees were liable to great objection, when they were in the remotest degree dependent upon the prolixity of a cause; for they being in some sort a premium upon delay, and a bribe to encourage expensiveness and vexatious impediments, they might well be considered an abomination. This was, consequently, the worst way to pay a Judge, or any official person, as it opened the door to an infinite number of abuses; but if, on the contrary, fees did not depend upon the prolixity of a cause—if, once for all, one fee was paid upon each case, it became a very different matter. Now, observe the distinction between the Judge and the Master in Chancery. The Judge sat before all mankind, in the face of day—and for shame sake, he could not dare to receive the emoluments of his office unless he discharged its duties. But the Master sat in a corner, without any crowd to watch him—without any newspaper to report him—and if, then, he were to receive a salary, in lieu of the fees now given, the problem he would naturally set himself to solve would be—not how the business of the Court might be best expedited to the convenience and advantage of the suitors—but how he might continue to receive his salary at the least possible expense of labour—how he might discover the minimum of labour necessary to retain his place—how he might, in fact, convert it into a sinecure—a problem uniformly solved most effectually by the many holding official situations, and solved after a manner which would do honour to a Senior Wrangler. The Master's Office was complained of—it was defective. His remedy was this—let in the light—open the doors; let them sit in the face of the people as the Judges did. Let them sit under the consciousness that they were exposed to the public eye, and the public scrutiny as the Judges did. They had, in fact, the authority of Judges, they were Judges, in all but the responsibility and publicity under which Judges acted. Open the doors of their office, then, he said, and no other alteration would be necessary. They might then, however, pay them as they pleased—by fees or salary—there would be no objection, and there could be no injury. His hon. friend (the Solicitor General) cheered him, and chided him in cheering. His hon. and learned friend's tone expressed nothing less than this—" You tell us that upon which we are all agreed. Why then thus lecture us, at one o'clock in the morning, upon matters on which there can be no difference of opinion?" But how was he to know that they were all agreed? He must look to the bills, and there he found that the only light shed was the pleasing light of a fixed regular salary, dawning upon the Master's Office, and promising to foster him with its beams, whether he had much business, or little business, or no business at all. He thought, as he before said, that these bills were of doubtful improvement; they should be examined simply upon their own merits. But when in saying this, if he either blamed what had been done, or if he withheld his cordial support from what was proposed, he begged to be understood as doing it reluctantly. It would have been far more pleasing to him to have pursued a different course, especially when the Government were minded to reform the law. His hon. friend, the member for Winchelsea, had said, that Government was bent upon this reform. He entirely agreed with him. But then his hon. friend went further, and grounded his support of these two bills upon the feeling he entertained of the sincerity of the Government in prosecuting this reform. Feeling, however, was not a safe guide; if he were then to judge by his own feeling, he would say it was the middle of Winter, though it was really Midsummer-day—if he were to be guided, too, by his own feeling, he would say, that the right hon. Secretary opposite was sincere in his desire to promote legal reform. And why would he say so? because the right hon. Gentleman had given proofs of that disposition—because he had been a powerful ally—because he had put down the clamour which was raised against the reformers in that House—had removed impediments from their way, and been to them a rampart and a tower of strength. He never had been one of those who hesitated to make this acknowledgment, or who felt any jealousy towards the right hon. Gentleman, even on the part of those great men, the leaders in the great questions of reform, who were then no more. Accidental circumstances had placed the right hon. Gentleman in a situation in which, in the prosecution of his own personal views, he might have turned all his energies and powers to put down the cause of reform, but he had magnanimously, and disinterestedly, and wisely for his own fame, preferred making himself the patron of reform to appearing as its opponent. But as to the Solicitor General and the Lord Chancellor, how was he to judge of them except by their acts—or in other words, except by their bills;—by these which the Lord Chancellor sent down to them—one of which was of very doubtful improvement, and the other no improvement at all. But then the noble and learned Lord said, wait a little and I will send you down this, which shall complete my system, and which shall render universal satisfaction to you, the House of Commons, to the suitors of the Court of Chancery, and the country at large. Softly then with the present Bill, was his reply. Sufficient for the day is the good thereof. They had then two bills; be it admitted, for argument sake, conferring some benefit; but that was no reason why they should agree to the appointment of a new Judge in the Court of Chancery. It was imperative upon the House to pause and consider well before they took such a step; times had much changed since changes had been first recommended in the constitution of that Court. A revolution had taken place in the Court of Chancery. The Master of the Rolls now sat in the morning. He sat six hours instead of two; and, therefore, was enabled to dispose of fifty per cent more causes than in former times. There was this, and other novelties, which went to the very root and marrow of the question. They had arisen since the Commissioners had made their Report. They required investigation; and until the House had all these things fairly before it, they could not decide upon the plan which had been proposed. He would tell them, that if they wished to act in accordance with the dignity of that House—if they wished to act fairly towards themselves, their constituents (whom they must soon meet), and the country in general, the only honest answer they could give to my Lord Chancellor was—redeem your pledge—let us see the fact—then we will judge of your demand; and how, and when, and as new help may appear to be necessary to you, in such sort shall you have it, and not otherwise.

The *Attorney General* said, that in recalling the attention of the House to the facts which had been made out, he should be able to show that his hon. and learned friend, the member for Knaresborough — allowing his imagination to run away with him, and delighting in the amusement which he always afforded to the House, and never more than on the present occasion — had entirely forgotten those facts—that his arithmetic could not be correct; and that the conclusions which he founded upon it were consequently erroneous. His hon. and learned friend appealed to the report of the Commissioners in 1825, but he must tell his hon. and learned friend and the House that the arrears in 1825, or the arrears in 1828, were not so great as at present. His learned friend attempted to show that where seventy causes were entered, and the number disposed of was not one-half of that amount, no increase of arrears occurred; but he (the Attorney General) confessed that this was a mode of calculation which he did not understand. He contended, in opposition to the hon. and learned Member, that there was a decided increase in the arrear; and he stated that the average time required between the entering of a cause and its being heard was a year and a quarter. This was a terrible infliction upon the suitor, and could only be remedied by the removal of the arrear. The bills were not to be regarded simply by themselves, but in conjunction with others, and as forming part of a system; had they been altogether unsupported, he knew not that he should have voted in favour of them himself: but coming as they did, with a solemn pledge from the Lord Chancellor, of his intention to proceed with other improvements, he could not, certainly, withhold from them his concurrence. His Lordship, it was to be remembered, had commenced his plan of reform by enforcing, in conjunction with the other Judges, certain regulations in his Court, with the view of improving the practice there as far as he might without the aid of Parliament. And if at any time his hon. and learned friend should happen to be raised to that situation to which his talents so well entitled him, he would find that there were so many vested interests engaged—so many prejudices to overcome—that the reform of the Court was not the work of a day, or of a year. Was it just, then, to accuse the Lord Chancellor, because he had not, during the three years that he had been in office, accomplished many reforms which would in themselves occupy many years, and in doing which it was evident he would be very much opposed, both in Court and out of Court—both in that House and out of that House. But those who called for reform were not satisfied with it in any shape but that which exactly suited their own views. They would not take any partial reform, but required that one complete plan should be at once laid upon the Table—an undertaking which, with the complicated interests involved in the Court of Chancery, he would defy any man to fulfil in one bill. The Lord Chancellor had devoted himself to effecting all those reforms which could be accomplished without the aid of Parliament by the introduction of proper regulations into his Court. The House would, he trusted, consider that the appointment of the new Judge was chiefly proposed with a view to his passing into the Court of Exchequer when an opportunity offered, and taking with him an efficient Bar, to improve the practice of that Court. This was allowed on all hands to be desirable, and what rational objection could there be to his assisting in the meantime to reduce the arrear in the Court of Chancery? If the arrears were cleared away by the effect of this Bill one of his hon. and learned friend's complaints would be removed, as there would be a better opportunity for the Chancellor to hear original causes. His hon. and learned friend said, that the Judges were not severely worked, and yet it was stated that the Vice-chancellor had devoted sixteen days of his vacation to the public business. To meet this his hon. and learned friend said, that the Vice-chancellor was a fresh-looking man, and had no appearance of over-fatigue. His hon. and learned friend might as well say that he, himself, who, though not quite so fresh-looking as the Vice-chancellor, was healthy and vigorous, would go for six weeks to his country-house, but that he (the Attorney General), because he was fresh-looking, might remain in the Court of King's Bench for the whole year round. As to the argument that, because there were large fees in bankruptcy no arrears were suffered to accrue, it was well known that no man had ever been more indifferent to his own interest than the Lord Chancellor. If his hon. and learned friend (the Solicitor General) had been allowed to state fully all the measures which were in contemplation, the House would have been satisfied that the intention was to effect a complete reform in the business of Chancery. If Sir Samuel Romilly were now alive, and were a witness of the vast increase of business which had taken place since the time when he opposed the appointment of a Vice-chancellor, he was sure he would admit the necessity of an additional Judge. It would be found, on a fair calculation, that the present Chancellor had done as much business as his predecessor. If this measure stood alone — if it were without any reference to the use which might hereafter be made of the additional Judge—he might have some hesitation in approving of it; but, accompanied as it was by provisions which would guard against any abuses of the appointment, he thought it a measure of great public utility, and would give it his cordial support.

Mr. *Huskisson* observed, that seeing that the right hon. Secretary of State was the only person not connected with the legal profession who had hitherto spoken upon the question, he felt some hesitation in following his example. He might, however, be perhaps permitted to say a few words, as the question must ultimately be decided by Gentlemen as unlearned as himself. He entirely concurred with his hon. and learned friend, the member for Knaresborough, in the views he had expressed. He did not think a new Judge should be appointed upon the faith of the very doubtful improvements which had been conceded. There should be an ample inquiry. The great complaint preferred was delay—and they were accordingly pressed to come at once to a decision to abate the evil. Now he would not, like some hon. Members travel 200 years back to seek for cases. He would simply refer to the course pursued by the House in a question which was brought before it about fifteen years back. Great complaints were then made respecting the imperfect communication between this country and Ireland. The Holyhead mails, for various reasons, did not travel with sufficient speed — there were tolls, and various impediments named amongst the causes. They did not, however, without making any other alteration, place an additional coach upon the road by way of remedying the evil—yet this was pretty much the course recommended upon the present occasion. In a word, he did not think that any case had been made out in favour of this new appointment. The Judges in the Court were divided on it, and the mass of legal authority appeared to be against it. There was this inference to be drawn from the arrears in the Court of Chancery, and the constant complaints of them, that there must be some defect in the constitution or in the administration of its jurisdiction. They had had wings to different measures, none of which were, on that account, the more palatable; but the circumstance of their being so attached to any bill was, in itself, a reason why the House usually looked on it with the greater doubt, jealousy, and suspicion. The arguments on the subject had drawn the matter in dispute to issue; viz. whether there had been an increase of the arrears of undecided causes in the Court of Chancery? This question, in his mind, they could not be so well calculated to decide on. He, therefore, should propose that the question of the arrears, and, therefore, of the necessity of the appointment of a fourth Judge in the Court of Chancery, should be referred to a committee to report thereon to the House. He begged the House to recollect that they had been furnished with the opinion of the present Lord Chancellor, that if the arrear were once diminished there would be little trouble in keeping the files of the Court subsequently clear without the aid or intervention of another Judge. For all these reasons he should give to the Bill the most decided opposition until they were more fully informed as to the nature of the two bills which were to form the wings, as they had been denominated, of this measure.

Sir C. *Wetherell* observed, that he knew well enough a reply at half-past two o'clock in the morning, especially after the exhaustion of such a sitting as that, was not likely to be listened to with patience. It was not one of the Parliamentary *deliciæ*; and he anticipated no pleasure from the enjoyment of such a luxury. He should not venture to go into the details of the question at that hour, but he must say, that his case had been fully made out. By his calculations, which, plain man as he was, he believed would be found quite as clear as the sugar calculations of his right hon. friend, which 140 Gentlemen had had the good fortune to understand, though to all the rest of the world they were unintelligible; by his calculations, he said, it was clear, that a considerable diminution of arrear in the Court had already taken place without the assistance of any new Judge; and that fact, together with the circumstance that the Vice-chancellor, the Master of the Rolls, and the Bar, were opposed to creating a new Judge, was sufficient, he thought, to induce the House to vote against the Bill.

The House divided—For the Motion 96; Against it 133—Majority for Ministers 37.

The question was then put that the Bill be read a second time.

Mr. Brougham moved, that the second reading be postponed till Monday.

The House divided—For the Amendment 77; Against it 118—Majority 41.

Mr. Brougham moved the adjournment of the House;—Sir R. Peel consented to the postponement of the second reading till Monday.

HOUSE OF LORDS,

Friday, June 25.

MINUTES.] Petitions presented. Against the Punishment of Death for Forgery, by Viscount GODERICH, from the Inhabitants of Camberwell:—By Viscount LORTON, from Ross (Hereford), and Horsham (Sussex):—By Lord DURHAM, from Wandsworth, and from Dissenters at Newington:—By the Archbishop of YORK, from Axbridge:—By the Duke of RICHMOND, from Witney:—By the Earl of WINCHILSEA, from Hereford and from Huddersfield.

DEATH FROM EXTREME DISTRESS.] The Earl of *Winchilsea* having presented a Petition said, he would take that opportunity of calling the attention of the noble Duke (Wellington) opposite, to a statement of the most appalling character which had appeared within a few days in the public journals: he meant the death of five persons, who had perished by starvation near the metropolis. These were poor labourers who had come from remote parts of the country in search of employment in the more early work of the harvest near the capital. The fact of the death of these unfortunate persons had been communicated by a country magistrate to the chief magistrate of Bow-street. He mentioned the case for the purpose of asking the noble Duke whether any communication had been made to him on the subject. He (Lord Winchilsea) had obtained some information concerning the destitute condition of the poor country labourers, who came up here in search of employment, from a friend, who stated to him that a subscription was made for them in the neighbourhood of Grosvenor-square, and that the humane parties who had undertaken it, had already relieved 2,100 or 2,200 of these men within a few days. The distress which some of them must have endured was intense, and he was anxious to bring the subject under the notice of the House, more particularly as, from that feeling of independence which once characterized Englishmen, many of them chose to endure the miseries of starvation rather than beg, and he feared that those unfortunate men whose death had been noticed were not the only persons who had perished of hunger. He knew that very many at this season of the year, came up from the midland counties with a view of getting employment at the early harvest here, and then going back time enough for the harvest labour in their own counties. When he heard of the distress which existed amongst this class, he thought of going to Bow-street to ascertain further particulars respecting it from the chief magistrate there, but he could scarcely bring himself to ask questions concerning it. Distress of this kind was unparalleled. The statement would be circulated in every journal throughout the country, that several human beings had perished by starvation, almost, he might say, under the walls of that House, where all inquiry into the condition of the labouring classes had been refused. But those by whom that refusal was given were answerable for the consequences. It was, however, impossible that such distress could be without a remedy, for human want would go beyond endurance, and he would not answer for the consequences which might result from an apprehension of starvation. He should not wish to be in the responsible situation of his Majesty's Government, which had refused any inquiry into this subject; but he should hope that some attention might be bestowed on it, while yet some remedy might be applied.

The Duke of *Wellington* said, that he had received no information of the circumstance to which the noble Earl alluded. There was, he believed, much distress amongst those labourers who had come up to the neighbourhood of London in search of harvest-work, which the state of the season prevented them from obtaining, but he had received no communication on the subject.

The Earl of *Winchilsea* said, that the death of those poor men had taken place between the parishes of Acton and Ealing. A case of this appalling description ought not to go without investigation.

The Marquis of *Clanricarde* wished to know from the noble Duke whether he had heard of the great distress which prevailed and was increasing in many parts of Ireland, and whether any measures were to be adopted for the purpose of applying a remedy.

The Duke of *Wellington* said, he had heard that distress prevailed in some parts of the country, owing to the high price of provisions, but not owing to any dearth.

The Petition to lie on the Table.

GALWAY TOWN REGULATION BILL.] Earl Grey moved that this Bill be committed, and the House having gone into the Committee,

The Duke of *Wellington* rose for the purpose of moving the clause of which he gave notice yesterday. He stated then, that the Act the 4th Geo. 1st was inconsistent with the present policy of this country, which now made no distinction between Catholic and Protestant as to their civil rights; and he would now, as briefly as possible, state to their Lordships the grounds on which he thought that Act, which the present act sought to amend, should be repealed altogether. The noble Duke then proceeded to read the preamble of that Act, which set forth how much the success of the Protestant interest in that part of Ireland depended on the loyalty and fidelity of the garrison of Galway; and also noticed the disposition of the corporation of Galway to favour Popery. It then enacted that four magistrates of the county of Galway, being Protestants, should also be magistrates for the town and county of Galway, and also that 40*s*. freeholders, being Protestants, should be selected as jurymen to try offenders in the town; and it likewise enacted that any Protestant artisan, or person engaged in business, residing in the town for seven years, might claim as a matter of right to be made a freeman of the town and a member of the corporation, having a right to vote for Members of Parliament upon taking the usual oaths. Now, he contended, that though the policy of that Act might have been necessary at that period, it was not necessary at present, but was wholly inconsistent with the spirit of the measure passed last year—the policy of which was to give encouragement to every man in corporate towns without religious distinction. It might be said that the Bill on the Table was a remedy by extending to Catholics the same privilege as was enjoyed by Protestants, but he contended that it would be more just to repeal it altogether. The Act was itself a violation of the rights of the charter given to the town by Charles 2nd, and ought not to be continued longer than the policy of the country required. That policy being now wholly changed, the Act which grew out of it should be repealed. It would not be any act of injustice to Protestants at present in the town, because they all could claim any right to which they were entitled under the law of George 1st.; but the continuance of that law would have the effect of throwing in 4,000 or 5,000 new electors, which would completely destroy the rights of the corporation. If this corporation had been exclusively Protestant, it would be different; but the fact was, of 800 freeholders entitled to vote for it, the majority were Roman Catholics. The noble Duke, after contending that the allowing the act of 4th Geo. 1st to remain, would overturn the corporation, by letting in upon them 4,000 or 5,000 of the lowest class of persons as electors, and observing that the repeal would be no injury to Protestants, for that since the act passed not 100 Protestants had claimed their freedom under it, and in the last fifteen years not one,—concluded by moving a clause repealing the act 4th of Geo. 1st altogether.

Earl *Grey* said, that it was with great reluctance he felt it to be his duty to oppose the Amendment of the noble Duke; for if that Amendment were carried into effect, he was of opinion that the Bill, instead of being a Relief Bill, would be converted into one of disqualification and disfranchisement. Whatever might have been the policy that led to the enactment of 4th Geo. 1st, that policy, he was happy to say, had gradually been rescinded; and by the Act of the previous Session had received its final blow. The object of the present Bill was, to make the Roman Catholics of Galway capable of enjoying their civil rights, and after what had passed last Session he certainly had not conceived the possibility of the noble Duke offering any objection to it: indeed, the great principle in favour of the Catholics having become the law of the land, he held it to be impossible that any Member of that House would attempt to withstand a measure which only went to remove from the inhabitants of a remote borough in the West of Ireland those disabilities which had been already generally removed from their fellows. If the Amendment of the noble Duke were to be carried into effect, it would be neither more nor less than a partial disqualification and exclusion, while the general principle, as regarded the rest of the country, had been ceded. Under these circumstances, he was most sorely disappointed when he saw the course that the noble Duke was taking; and, indeed, he could not conceive on what grounds or what principle the alteration was proposed, for, if carried, it would indeed be "to keep the word of promise to the ear and break it to the sense." But the noble Duke had referred to the charter of Charles 2nd, and had said that the right of electing freemen and the general government of the borough were thereby vested in certain officers and burgesses, and that that Bill would be the means of completely overthrowing the system laid down by the corporation. Now, from this proposition he must beg leave to dissent. In the first place, it was to be observed that the noble Duke had not produced the charter, and he (Earl Grey) would confess that he had not seen it. Indeed the reason given for not hearing counsel on this Bill the previous evening was, because they were not able to produce the charter: there had, however, been time enough to obtain it, and he therefore could not understand why the charter was not produced. But, at all events, he begged to say, that the question did not rest upon the charter alone, for this was a borough not only by charter, but by prescription also; as up to the year 1396, it had existed by prescription, at which period Richard 2nd granted it a charter, which was the first, and that of Charles 2nd was the last. In order, therefore, rightly to understand this case, surely they must go back and see what the usage and prescription of the borough had been, and thereby trace what were its rights. Here, then, it was, that he was at issue with the noble Duke; and he was prepared to contend, that it would not overturn the rights of the corporation to pass the Bill in its present shape. In most of the boroughs where the right of freeman was obtained by servitude and birth, it was seldom found that that right was derived from any particular wording of the charter, but rather from long custom and usage. In 1717, the right of adding to the corporation was possessed by the resident inhabitants of Galway, the freeholders and the freemen being the two parties who had the right to vote. Then came the Act of the 4th Geo. 1st, which Act he considered was virtually repealed by the legislation of the last Session of Parliament. This Act was followed up by another in 1727, when the Irish Parliament enacted a law going to the disqualification of the Catholics: the consequence of this was, that the Roman Catholics ceased to have any interest in the Guilds of the borough, and they fell into desuetude; and they could not be renewed in fact without a new charter. The measure was one of restoration, and not of innovation, as had been stated by the noble Duke. To the petitions for and against the Bill, he should next call their Lordships' attention. The latter class were, for the most part, signed by the same persons, who, like characters on the stage, going in at one side, and out at the other, so multiplied themselves as to appear numerous, though, in point of fact, they were but a few. But, he would ask, were there any petitions from the corporation itself?—Had there been any, they must have been under the seal of the corporation, in order to which the vote of a majority of the Common Council would have been necessary; but the majority of the Common Council had petitioned in its favour. They had also the petitions of the Grand Juries of the town and of the county of Galway—they had the petition of fourteen magistrates—they had the petition of those members of the Irish Bar who were connected with the town and county of Galway, all in favour of the Bill. It was, therefore, to him a matter of extreme surprise that the noble Duke opposite should have come down to that House, and, with all the authority belonging to the Government, propose such a clause as was then on their Lordships' Table. The petitions against the Bill came from the Mayor and from Mr. Daly. He understood that the Mayor was not resident. He understood, too, that even in the history of corporations there never had existed greater abuses than in the corporation of Galway. It was said that Catholics had been admitted in great numbers—so he believed they had, but of what description—was it the resident Catholic tradesmen of the town? By no means; but the peasantry, the tenants on the estate of the patron of the borough—men having no connection with the town of Galway except through him. Now the effect of the clause of the noble Duke would be to exclude all Catholics who were not dependent upon the patron, and subservient to his purposes. On the strong grounds of policy and of justice, then, he would press upon their Lordships the propriety of agreeing to the Bill in its present shape. If the delinquency of the corporation could lead to such a result, there could be no doubt that abundant cause of that nature had been afforded; even the Irish Commons did not refuse to come to a resolution, declaring that the funds of the corporation had been diverted from the purposes for which, by the several charters, they were intended, to the salaries, emoluments, and private purposes of individuals. The complaints against those abuses were so grave and so well-founded, that application was made to the Lord Chancellor of Ireland (Lord Manners,) and a suit instituted in his Court, which ended in a decree that left defendants at liberty to apply for an Act of Parliament. In consequence of this a bill was introduced into the House of Commons, which was lost; subsequently another bill was introduced which shared the same fate; and finally Sir Anthony Hart, the successor of Lord Manners, pronounced a decree against the corporation, and now, at the moment that there was an attachment out against the Mayor of Galway for contumacy in disobeying the decree of the Court of Chancery, he came forward to that House, urging that the Bill invaded the rights of the corporation, while the majority of the corporation declared themselves in favour of the Bill, which he could with perfect correctness describe as a bill of restoration, not of innovation. It had been objected to this Bill, that it would increase the number of electors; so far from that being an objection with him, it formed one of the strongest recommendations of the Bill; he desired to see the number of electors increased. For these reasons, he called upon their Lordships to agree to the Bill in its original shape—for it violated no right, it merely went to place things upon their former footing, and to follow up the great measure of last year. His objection to the Amendment of the noble Duke was insuperable, and he confessed that he should rather see the Bill lost altogether than that it should assume the shape which that Amendment would impart to it; yet matters could not remain as they were. Parliament could not shut its eyes to the necessity of taking some steps with respect to it. For himself he had no personal interest in the matter; he desired to support the rights of the people, invaded, as he conceived them to be in this instance; at the same time that he was sorry to oppose a measure of the noble Duke, who, he was sure, would not have pressed it upon the adoption of the House, had he had those opportunities of obtaining information which would have enabled him to judge correctly on the subject. There was one petition against the Bill to which he had not adverted—one presented by a learned Prelate opposite, from the Warden and Vicar of the town of Galway, but they urged no general objection to the Bill, they were merely anxious to preserve the security of the Church, and to guard Ecclesiastical patronage from being administered by Catholics. It happened, however, that two out of three of the Vicars were in favour of the Bill. The noble Lord concluded by urging the policy and justice of the measure, and declared that, with the Amendment, he could never agree to its passing.

Lord *Manners* said, a bill certainly was filed against the Corporation of Galway, when he was in Ireland, for misapplying charitable funds, but as it did not appear to him that the funds were intended for charitable purposes, he had dismissed the bill.

Viscount *Goderich* said, he would support the Bill, in the conviction that it was expedient, just, and necessary, and that all the opposite characteristics ought to be applied to the Amendment which he lamented to see proposed by the noble Duke.

The Earl of *Winchilsea* thanked the noble Earl (Grey) for having stood forward in behalf of the rights, not only of Protestants but Catholics. He would give the Bill, without the Amendment, his cordial support.

The *Lord Chancellor* said, the question ought to be discussed calmly, and without reference to party feelings. After the best consideration which he had been able to give to the subject, founded upon all the information he could obtain, he thought it would be both unjust and impolitic to pass the Bill, except as modified by the Amendment proposed by the noble Duke. The noble Earl (Grey) had alluded to three charters which had been granted to the Corporation previously to the charter of Charles 2nd. But the noble Earl had omitted to state that those charters had been forfeited, and that the proceedings of the Corporation had been governed, down to the present time, by the charter of Charles. The Act of the 4th of George 1st. was passed to prevent Catholics from obtaining the ascendancy in Galway, it being apprehended that they would exert their power and influence against the interests of the House of Brunswick. The noble Earl said that Act conferred no new right upon the Protestants. He should like to know from what source the noble Earl derived that information. It could not be from a perusal of the Act. His opinion was, that the Act did confer most important additional rights on the Protestants. No doubt that Act was an infringement on the popular rights; but was not the measure now proposed an infringement to a much greater extent? It was necessary to consider the practical operation of the privilege conferred upon Protestants by the Act of George 1st. From the passing of the Act down to the present day,—a period of upwards of a century,—not more than 100 Protestants had been admitted to the Corporation, and during the last fifteen years, not one Protestant had applied to be admitted. This was not a question between Catholics and Protestants. Galway must always be essentially Catholic: Protestants, compared with Catholics, were but as a drop of water in the bucket. By adopting the Amendment proposed by the noble Duke, Catholics and Protestants would be placed on an equal footing.

The Duke of *Richmond* considered the Amendment as a measure of disfranchisement, and therefore would oppose it. When their Lordships were passing the Bill for the disfranchisement of the 40*s*. freeholders last Session, he stated his apprehension that they would hereafter be called upon to pass measures on a similar principle; but he had no idea that his prophecy would so speedily be fulfilled. He considered the Amendment to be a revolutionary measure. The noble and learned Lord said that it was unnecessary to make this a party question. He believed that it had been made a party question, and that the object of the Amendment was, to prevent noble Lords from voting against an adherent of Ministers.

The Earl of *Wicklow* said, it was admitted by both sides of the House, that the object of the second reading of this Bill was to carry fully into effect the principle of the Bill of the last Session, for the relief of Roman Catholics. That being their Lordships' object, the question was, how it could be best accomplished,—by the Bill of the noble Earl, or the Amendment of the noble Duke? In his opinion, either course would fully effect that object; and all their Lordships had to do was, to choose, between the two, that which was, most consistent with justice, honour, and Equity. He preferred the Amendments, because, by repealing the Act of the 4th Geo. 1st., they would not only leave the town of Galway in the precise situation in which it was placed before the passing of that Act, but they would put it on the same footing as that of all the other corporate towns in Ireland at present.

The Marquis of *Clanricarde* defended the Bill: a more unfounded opposition never was raised against any measure. The Corporation of Galway did not complain against the measure; but it was opposed by certain officers of the town, who had been guilty of malversation with respect to the tolls and customs. The Corporation and inhabitants were most anxious that this Bill should pass. The Bill did not go to take away rights but to impart rights to strangers, and would not in any respect injure the privileges of the town of Galway. On the other hand, he was sure that the effect of the proposition of the noble Duke would be, if Parliament sanctioned it, which he believed never would be the case, to disfranchise a great number of Protestants, without a shadow of accusation against them.

The Marquis of *Lansdown* said, that whatever disappointment he had experienced when he heard the proposition of the noble Duke, he felt considerable satisfaction at the statement made by the noble Duke and the noble and learned Lord on the Woolsack, that no person who supported the great and beneficial measure of last year could hesitate to approve of the principle of this Bill. He heard the declaration with satisfaction, because only knowing from the votes of the House of Commons, which were laid on their Table, he had been induced to believe that many Gentlemen who supported the measure of last year took a very active part in the other House against the principle of this Bill. They had, however, opposed it unsuccessfully, and they had left it to their Lordships' House to devise the present new and extraordinary mode of defeating this measure. The other House of Parliament had not the art, not the ingenuity of originating such a plan, and they left the perfecting of it to the noble Duke and his advisers. The noble and learned Lord had stated to their Lordships, that those persons who would be deprived of their rights by the Amendment, only acquired those rights under the Act of the 4th of George 1st. But this was not the case, for those rights were expressly recognized in the charter of Charles 2nd. The franchise was confirmed by long continued use—it was recognized by the Irish Parliament, and confirmed by the Act of Geo. 1st. That franchise was now, it appeared, for a special purpose, to be taken away. He therefore would say, that if the Amendment were carried, this would be an Act of disfranchisement and spoliation.

The Duke of *Buckingham* felt himself, whatever his regret might be, compelled to vote against the Amendment of his noble and illustrious friend. He was exceedingly sorry that his noble and illustrious friend, who was so principal an instrument in relieving Ireland from that horrid system which had so long prevailed there, should be the first to bring forward such an amendment as this,—an amendment which could only have the effect of keeping alive traces of that cruel system, which he thought, happily for the country, had been swept away. That system had been driven out of our streets and squares; but it appeared that in some corner or other the spirit of disability must still exist. He was obliged to oppose this Amendment, whether he considered it with respect to the Protestants, to the Catholics, or to the whole system of the British empire.

The Duke of *Wellington* assured their Lordships that nothing was further from his wish than to rest this measure on any other ground except the mere plain facts of the case. He again asserted that no man would be deprived of his rights by the Amendment. The charter of Galway would remain as it was: the new rules would continue as they were; every inhabitant of Galway would remain precisely as he would have stood, if the 4th of Geo 1st. had never passed—with this difference only, that he would be permitted to claim the franchise granted by the 4th Geo. 1st. although he might have neglected to apply for it within the specified time.

Earl *Grey* observed, that the noble Duke had said, that whatever rights the people of Galway possessed before the 4th of Geo 1st. they would equally enjoy now. There he was at issue with the noble Duke, for the effect of the measure would be this—that persons who wished for the freedom of the town could no longer procure it through the medium of guilds—because, by long disuse, they were out of existence; and the repeal of the Act by this Amendment closed up another channel. The noble Earl concluded by stating that he was the more confirmed in his own opinion by the arguments which the noble Duke had advanced against it.

The Earl of *Darnley* opposed the Amendment.

The Marquis of *Bute* was prepared to vote in favour of the Amendment as a corollary to the measure of last year.

The House then divided on the Amendment:—Contents 62; Not-contents 47 Majority in favour of the Amendment, 15

The House resumed, the report was brought up, and ordered to be received on Monday.

DEATH OF GEORGE THE FOURTH
AND
ACCESSION OF HIS MAJESTY
KING WILLIAM THE FOURTH.

HOUSE OF LORDS,
Saturday, June 26.

Demise of His Majesty King George IV.] At the rising of the House on Friday it was adjourned to Monday; but, in consequence of the

Death of his Majesty,

which took place at three o'clock this morning, summonses were issued for the attendance of the Peers, pursuant to the Statutes 7 & 8 Wm. 3rd, c. 15: and 6 Anne, c. 7. A number of their Lordships accordingly assembled as early as eleven o'clock.

At twelve the Lord Chancellor entered the House, and after prayers had been read by the Bishop of Carlisle, Mr. Courtenay, the Deputy Clerk of Parliament, administered to the noble and learned Lord the Oath of Allegiance to his Majesty King WILLIAM IV. The Oath was then administered to the other Peers present. Their Lordships continued to sit for the purpose of administering the Oath of Allegiance to such Peers as came for that purpose, till four o'clock, and then adjourned. No other business was done, than administering the Oaths to about eighty Peers.

HOUSE OF COMMONS,
Saturday, June 26.

Proceedings of the House of Commons on the King's Death.] The following appears on the Minutes of the House of Commons as the Record of the Death of the Sovereign:—

"It having pleased Almighty God to take to his mercy our late most gracious Sovereign Lord George the 4th of blessed memory, who departed this life this morning between the hours of three and four of the clock, at his palace at Windsor; and his late Majesty's most honourable Privy Council, and others, having met this day, and having directed that his Royal Highness Prince WILLIAM HENRY, Duke of CLARENCE, be proclaimed KING by the style and title of WILLIAM the FOURTH.

"Mr. Speaker, and several other Members, attended in the Long Gallery, where the Marquis of Conyngham, Lord Steward of his Majesty's Household, administered the Oaths appointed to be taken, to all such Members as then appeared; and afterwards made a Commission or Deputation under his hand and seal, empowering several Members to administer the oaths to such Members as are or should be returned; which being done, the Members repaired to their seats in the House of Commons, where Mr. Speaker alone, and then the other Members present, took the oaths and subscribed the Oath of Abjuration, according to the laws made for those purposes."

On the Speaker taking the chair, about 300 Members were present, who surrounded the Table for the purpose of taking the usual Oath of Allegiance to his Majesty, William the 4th, which was administered by Mr. Ley, the chief clerk to the House.

The Speaker stated it to be his intention to come down to the House on Monday, at ten o'clock, and to sit until four, in order that those hon. Members who might not have an opportunity of taking the Oath of Allegiance to his present Majesty on that occasion, should be enabled to take it when they next met. The right hon. Gentleman subsequently requested that Members who had been sworn might not leave the House until they should have signed their names.

The Members who were sworn, accordingly entered their names on the Journals.

Lord Steward of the Household.] On the question that the House do now adjourn,

Mr. *Brougham* said, he would take advantage of that occasion to call the attention of the House to a matter affecting its privileges. He had to complain of an insult then, for the second time, offered to the Commons of England; and could not help regretting that none of his Majesty's Ministers were present to hear his statement. He rose for the purpose of protesting against the treatment which the Commons of England had experienced from an officer of the Crown—he meant the Lord Steward of his Majesty's Household. It was the bounden duty of that officer, as soon as he heard of the decease of their late most gracious Sovereign, to recollect that the first—that the principal —nay, that almost the only—object of his consideration was his attention to the Commons House of Parliament. Instead, however, of appearing to be influenced by any such feeling, the Lord Steward had conducted himself as if the Commons of England were nothing in his eyes. Because that noble Lord enjoyed the favour of his late most gracious Majesty,—because he might, perhaps, enjoy the favour of his present most gracious Majesty,—was he, therefore, entitled to behave with slight to the English House of Commons? If he abstained from at once making a motion on the subject, it was because it was barely possible that some other inevitable arrangement might have caused the Lord Steward's neglect of his most important duty. He had expressed himself warmly on this subject, but he felt that he had not expressed himself more warmly than the occasion required—he felt that he had only expressed himself in perfect conformity to the opinions of many hon. Gentlemen who had that morning, like himself, been kept for hours dancing attendance in the long gallery, and waiting the pleasure of the Lord Steward; and if any of the hon. Gentlemen who were not present did not tell that noble Lord what he had stated respecting him, he would say of them that they formed a very small minority of those who had suffered by the Lord Steward's neglect, or that they did not act a fair, an honest, and a manly part, either towards the Lord Steward on the one hand, or towards the House of Commons on the other. He had heard but one voice on the subject, and that was the loud voice of indignation. He most sincerely hoped that the times would not again occur in this country of a struggle between two branches of the legislature. But it nevertheless became them all to look vigilantly to the preservation of their privileges and dignity; and those privileges and that dignity could never be more seriously assailed than when an insult such as this was offered to them by an officer of the Crown. It was a most pleasant part of the duty, the consciousness of which had compelled him to address the House, to acknowledge, as an individual Member of the House of Commons, the extraordinary contrast which one of the very first acts of the gracious Prince who had just ascended the Throne of these realms presented to the conduct of the Lord Steward of the Household. He understood that, actuated by the kindest and most gracious consideration for the convenience and comfort of his faithful Commons, his Majesty had been graciously pleased to allow of the anticipation of the period at which the right hon. the Speaker would otherwise have been relieved from his attendance on the Council that morning at St. James's Palace, by permitting that right hon. Gentleman to take the oaths there at an early moment, and that for the express, and for the most kind and gracious purpose of consulting the convenience of the House of Commons. This he hailed as a pledge that the reign which had just commenced would be distinguished more than any other by a character of conciliation. The melancholy event which had so recently occurred must, for the present at least, do away with all feelings of dissension, political or otherwise; but he should not discharge his duty if he suppressed another feeling, which he was sorry to say was not of a satisfactory nature, which pressed upon his mind. He alluded to the character of the bulletins, and other official statements which had been circulated respecting his Majesty's health during the last ten weeks of his illness. He sincerely believed, that if the bulletins alone had been consulted respecting a subject so deeply interesting to the public as the state of his late Majesty's health, there was not a single man in England who would have entertained the least idea that the King was in a state of serious danger. Now that his Majesty was unhappily no more, it was understood that he had been given over for upwards of a month; yet he defied any man to put his finger on a single bulletin from which it would appear that his Majesty had been in alarming or serious danger. On the contrary, even when his Majesty was at the point of death, no such intimation was conveyed in those documents; and the members of the Government had also gone about, even within the last month, industriously intimating that it was very likely that his Majesty would at least live for two or three months. He would advise those who had pursued that course to recollect that this country could not long be governed by a system of fraud and deception. It must be ruled by common sense and above-board dealing, or not at all. He was sorry, he repeated, that none of his Majesty's Ministers were present, as he should have reminded them, with no unkindly feeling, that disguise, and falsehood, and treachery, had never succeeded, and never could succeed, for any time, more especially in a matter of such universal interest,—that such a system might do for an hour or a day, but that in the end it would inflict the deepest injury on those who had been unwise or unprincipled enough to resort to it; and that it necessarily would alienate from them the respect, and confidence and affections of the public, the possession of which alone conferred true and substantial power.

Corn Laws.] Lord *Milton*, on the Speaker's again putting the question of adjournment, said, that at the present period of the Session, and with the quantity of business still before the House, it might not be expedient to bring new subjects under its consideration. He should, therefore, content himself with, for the present, giving notice that, as early as possible in the next Session of Parliament, he should bring the important subject of the Corn-laws under the notice of the Legislature. In the mean time he should move for such returns as he conceived would be necessary to enable the House to thoroughly understand the actual effect of those laws.

HOUSE OF LORDS.

Monday, June 28.

Minutes.] The House met at twelve o'clock, for the purpose of enabling Peers to take the Oath of Allegiance to his present Majesty. The Earl of Shaftesbury took his seat upon the Woolsack as Speaker, *pro tempore*, in the absence of the Lord Chancellor. Several Peers were sworn in.

Petitions presented. By the Earl of Liverpool, from Kingston-upon-Thames, and two other places, against the Punishment of Death for Forgery:—And to the same effect, by Earl Spencer, from the Inhabitants of Kettering and its vicinity.

HOUSE OF COMMONS,

Monday, June 28.

Minutes.] A great number of Members took the Oaths and subscribed the Oath of Abjuration.

Public Business.] Mr. *Brougham* wished to know from the right hon. Secretary the intentions of Ministers respecting the public business, at what time it was intended that the measures, of which notice had been given, and some of which were in progress, should be proceeded with. It was the more important that hon. Members should know at what time the arrangements consequent upon the demise of the Crown, so far as they affected the order of proceeding in that House, should be acted upon, as the Session was then, in point of time, very far advanced.

Sir *R. Peel*, in answer to the hon. and learned Gentleman's question, begged to state, that he had reason to believe that it was the intention of his Majesty to make to-morrow a direct communication to Parliament respecting the public business. Till that communication had been made, he thought it better that a more explicit answer to the hon. and learned Gentleman's question should stand over. After it had been made, he should be prepared to give the hon. and learned Gentleman the fullest information on the subject.

Mr. *Brougham* assured the right hon. Baronet, that in putting the question he had not the least wish to embarrass the Government. The truth was, that he should long since have put a similar question to Ministers, but that he felt a delicacy, owing to the state of his late Majesty's health, in provoking a discussion of matters which might be contingent on his Majesty's recovery.

The Lord Steward.] Sir R. Peel then moved, that the House do adjourn.

Mr. *Brougham* thought that a most fitting occasion to offer a few words in explanation of what had fallen from him on Saturday last, respecting the conduct of the Lord High Steward. Since he had made his complaint of that noble person he had inquired into the causes of the delay which had provoked his complaint, and had learned that the Lord Steward was, as Constable of Windsor Castle, bound to take into his custody the body of his late Majesty, till it was handed over to the superintendence of the Lord Chamberlain, and that he was not relieved from that custody so as to enable him to attend on the House of Commons earlier than he had attended on Saturday. Had he been aware of this circumstance while waiting in the Long Gallery, he should not have indulged in the remarks which he had felt it his duty to make to the House when he last addressed it. In stating this, however, he begged it to be understood, that he felt then, as he did now, that the House could not be too jealously vigilant of every thing like an intrenchment on its constitutional privileges,—the rather at the commencement of a new reign, and after the manifestations which had been recently made in certain quarters, of a disposition to encroach too much on those privileges. That House could never too closely watch every such manifestation; and could never too earnestly and too often enforce the principle, that it was on its constitutional, that is, free-willed, unbiassed support alone, that the executive could rely for the means of carrying on the government.

Sir *R. Peel* felt himself precluded from entering into a discussion of the point mooted by the hon. and learned Gentleman, after what he had stated of his Majesty's intention to-morrow. With respect, however, to what had fallen from the hon. and learned Gentleman on Saturday, in relation to the delay of the Lord Steward's attendance in that House, he might observe, that he was sure the hon. and learned Gentleman's remarks would have been less severe, had he first acquainted himself, as he had admitted he had done since, with the circumstances which led to them. The hon. and learned Gentleman had himself admitted as much; he therefore need not dwell on the matter. It was hardly necessary for him to add, that the Lord Steward neither had, nor could have, the remotest intention to offer an affront to that House, and that his not attending sooner than he did, was owing to anything rather than a want of due respect for the privileges of the House. When facts were referred to, it would be found that the noble person he alluded to had been in immediate attendance upon his late Majesty till after three o'clock in the morning; so that he could not well attend to his duties as Lord Steward in that House before four o'clock on the same day, when he did arrive. The delay, he repeated, was consequent upon his duties as Constable of Windsor Castle, and not at all owing to a want of proper respect for that House.

Mr. *C. W. Wynn* thought the right hon. Baronet's explanation of the Lord Steward's non-attendance till a comparatively late hour on Saturday perfectly satisfactory. The inconvenience of the present system of taking the oaths before the Lord Steward had long been felt by hon. Members; the more so, as the oaths were wholly unnecessary, so far as that officer was concerned. He had himself, eighteen or nineteen years ago, brought in a bill to do away with the necessity of the Lord Steward's attendance as at present, and thence with the occasions of complaint like that made on Saturday by the hon. and learned member for Knaresborough; which bill had passed through that House, but was thrown out in the other House:—why, he never could well satisfy himself. Notwithstanding, however, his failure on that occasion, he gave notice that he should again bring forward a similar bill on the earliest opportunity, and thus prevent a recurrence of the inconvenience experienced on Saturday in consequence of the Lord Steward's not attending at an early hour.

HOUSE OF LORDS,

Tuesday, June 29.

MINUTES.] The Peers continued to take the Oath of Allegiance to the present Sovereign.

Petitions presented. Against the Punishment of Death for Forgery, by Viscount LORTON, from Brighton:—By Lord DURHAM, from Messrs. Esdaile and Co., and other Bankers of London:—By Lord HOLLAND, from Devonport:—Be Lord CALTHORPE, from Bilston and Rochdale. By thy Duke of RICHMOND, from Galway, against the Galway Franchise Bill.

The Examination of a Witness on the East Retford Disfranchisement Bill was proceeded with.

MESSAGE FROM THE KING.] The Duke of Wellington presented the following Message from his Majesty, which was read, first from the Woolsack by the Lord Chancellor, and afterwards by the clerk:—

"WILLIAM, R.

"The KING feels assured, that the House of Lords entertains a just sense of the loss which his Majesty and the country have sustained in the death of his Majesty's lamented brother, the late King; and that the House sympathizes with his Majesty in the deep affliction in which his Majesty is plunged by this mournful event. The King, taking into his serious consideration the advanced period of the Session, and the state of the public business, feels unwilling to recommend the introduction of any new matter, which, by its postponement, would tend to the detriment of the public service. His Majesty has adverted to the provisions of the law which decrees the determination of Parliament within an early period after the demise of the Crown, and being of opinion that it will be much conducive to the general convenience and to the public interests of the country, to call, with as little delay as possible, a new Parliament, his Majesty recommends the House of Lords to make such temporary provision as may be requisite for the public service in the interval that may elapse between the close of the present Session, and the meeting of another Parliament."

The Duke of *Wellington* then addressed their Lordships as follows:—" My Lords, I am convinced that your Lordships will think that I do right in taking the earliest opportunity of calling on your Lordships to express your grief and condolence to his Majesty, upon the severe loss which his Majesty, your Lordships, and the country at large, have all sustained by the death of his late Majesty. My Lords, with respect to the latter part of the Message which has been submitted to both Houses of Parliament by his Majesty's commands, I beg to postpone all consideration of it to another period—confining myself on this occasion to express our condolence for the loss his Majesty has sustained, and our congratulation on his Accession. My Lords, our late Sovereign, having received the best education which this country could afford, had the singular advantage of having passed the early part of his life under the immediate superintendence of the King, his father, and the subsequent part in the society of the most eminent men that this or any other country ever produced, and in the society of the most eminent foreigners that ever resorted to this country. Accordingly, my Lords, his Majesty's manners received a polish, and his understanding a degree of cultivation, which made him far surpass in accomplishments all his subjects; and made him one of the most remarkable Sovereigns of our time. He acquired a degree of knowledge upon the subjects which it was most important for a Sovereign of this country to be acquainted with. Those advantages he carried with him into the Government which he afterwards exercised in the name of his illustrious father, and as the Sovereign upon the Throne, up to the time of his lamented death. During all that period, my Lords, and up to the last moment of his life, no man ever approached his Majesty who did not feel instructed by his learning, and gratified by his condescension, affability, and kindness of disposition. These advantages were not confined, my Lords, to external show of manners; but I appeal to every noble Lord who has ever had the honour of transacting business under his Majesty's direction, whether, on every occasion, his Majesty did not manifest a degree of ability, of talent, and of knowledge in the most minute affairs of life, beyond what could be expected from a person in the exalted situation his Majesty had always filled. This is not all, my Lords—his Majesty was the most distinguished and most munificent patron of the arts in this country, and in the world; and he has left behind him the largest collection ever possessed by any individual of the most eminent works of the artists of his own country, as well as a collection of the works of art generally, such as few Sovereigns, and such as no individual (for as an individual his Majesty collected them) ever possessed. This being the case, I entreat your Lordships to reflect on the state in which his Majesty, in 1810, found Europe, and this country included in Europe, and the state in which he left it. Having taken that into consideration, together with the great political contests, and the great events which have occurred during his reign, and under his auspices, I say that we have reason to be proud of his late Majesty. I am convinced, therefore, that your Lordships will join with me in an expression of condolence to his Majesty upon the severe loss which we have suffered. The next point to which I wish to direct your Lordships' attention is, an expression of congratulation to his Majesty, on his Accession to the Throne. His Majesty, in his declaration from the Throne, has stated to the country what the country may expect under his Government. His Majesty has stated, that he has passed his life in the service of his country; that he will follow the example of his father and his brother; and he calls upon Parliament for its support and confidence in his endeavours to promote the happiness and peace of the country, and to maintain the established religion and the laws of the land. I am certain that your Lordships will be anxious to concur in the Address, which holds out to his Majesty hopes of your zealous co-operation and support in his endeavours; and I am convinced that your Lordships will most cordially agree in the Address which I am about to move."

The noble Duke then read the following Address:—

"That an humble Address be presented to his Majesty, to assure his Majesty that we fully participate in the severe affliction his Majesty is suffering, on account of the death of the late King, his Majesty's brother, of blessed and glorious memory.

"That we shall ever remember with affectionate gratitude that our late Sovereign, under circumstances of unexampled difficulty, maintained the ancient glory of this country in the war; and during a period of long duration, secured to his people the inestimable blessings of internal concord and external peace.

"To offer his Majesty our humble and heartfelt congratulations on his Majesty's happy Accession to the Throne.

"To assure his Majesty of our loyal devotion to his Majesty's sacred person, and to express an entire confidence, founded on our experience of his Majesty's beneficent character, that his Majesty, animated by sincere love for the country which his Majesty has served from his earliest years, will, under the favour of Divine Providence, direct all his efforts to the maintenance of the reformed religion established by law, to the protection of the rights and liberties, and to the advancement of the happiness and prosperity, of all classes of his Majesty's faithful people."

Earl *Grey* could not omit stating to their Lordships, that he entirely concurred in every part of the Address proposed by the noble Duke, and he was persuaded that not a single dissentient voice would be found among their Lordships. With that conviction he should abstain from adverting to those ordinary topics which were so commonly adverted to on such occasions, as to be almost unmeaning, but he trusted that their Lordships would allow him to give expression to feelings as sincere as any noble Lord, in agreeing to the Address of Condolence and Congratulation which the House was called on to express. The noble Duke had alluded to the gracious Declaration of his Majesty from the throne; and he would say that that Declaration gave him unqualified satisfaction; and knowing, as he did, the character of the illustrious individual by whom it was made, he was prepared, in common with the country at large, to expect the fulfilment of every thing it contained. He sincerely concurred with the noble Duke in the confident hope that the country would find the intentions of his Majesty fully realized. It was not necessary for him to add any more than to express his full and perfect and cordial assent to the Address proposed. He certainly thought that the noble Duke had done most properly in abstaining from taking the other part of the Message into consideration, on which there might be some difference of opinion. In order to preserve that unanimity which it was so desirable not to interrupt, he should not advert to that other part of the Message, though he thought that much of what it proposed contained matter for discussion; and that one subject altogether omitted furnished a subject for serious consideration. He should reserve his remarks on that subject, however, for future consideration, when it was proposed by the noble Duke to take the other part of the Message into consideration; and he hoped that the noble Duke would state when he meant to do so, in order that their Lordships might have sufficient notice, and come prepared to express their sentiments. He would not trouble their Lordships any further, than to repeat his cordial assent to the proposed Address.

The Duke of *Buckingham* expressed his entire concurrence in what had fallen from the noble Duke and the noble Earl on the subject of the Address. He joined with their Lordships in deploring their common loss on the public grounds they had stated; in addition to which he had strong grounds of personal gratitude to his late Majesty for the favours he had received, and for the unvarying kindness with which his Majesty had been graciously pleased to treat him. From the first moment when he had the honour of being introduced to his Majesty down to the last time he had the honour of being in his presence, he had received such marks of his gracious attention and favour, as would, in addition to public considerations, make him revere his memory with the most sincere feelings of gratitude. In that part of the Address also which congratulated his Majesty on his accession, he begged to express his most cordial concurrence.

Viscount *Goderich* said, that he concurred in the great propriety of abstaining on the present occasion from all allusion to any other topics than those to which the Address referred. He could not forbear, however, to express his feelings in common with those noble Lords who preceded him, with reference to the loss which the country had sustained in the death of his late Majesty. He had had the good fortune to have been engaged in his Majesty's service many years, and for a part of the time he had had the honour of receiving his condescending and confidential communications in the highest post in the State to which a subject could be raised, and he should not do justice to the memory of the departed Sovereign, or to his own feelings, if he did not join his testimony to those of the noble Lords who had addressed the House, as to the great and intimate knowledge of public business possessed by his Majesty, and to the uniform affability and kindness he evinced to those with whom he had to communicate. He agreed most sincerely in what had been stated by his noble friend with reference to his present Majesty, and he joined him in the hope that the promises held out in his most gracious declaration might be realized. His Majesty had for a great part of his life been engaged in the service of the country; and when lately more actively engaged in one of its highest and most important offices, had set an example of activity and zeal in the exercise of its high duties from which the happiest auguries of the future might be shown.

The Address was agreed to unanimously, and was ordered to be presented to his Majesty by such of their Lordships as held white staves.

DISTRESS IN IRELAND.] Viscount *Lorton,* in presenting a Petition against increase of Taxation in Ireland, said—My Lords, I have the honour to present to your Lordships a Petition from the Burgesses and other Inhabitants of the town and borough of Boyle and its vicinity, humbly praying, and most earnestly entreating your Lordships to avert the very heavy calamity which appears now to be hanging over Ireland, in consequence of the intended increase of taxation. Most undoubtedly, my Lords, that part of the Empire cannot bear such additional imposts, and I trust his Majesty's Government may yet be induced to reconsider the subject. In fact, my Lords, the country requires relief under the most dire distress, and distress which your Lordships, who may not have crossed the Irish Channel, can have no conception of; and I, therefore, lament much that the Session has advanced so far to a conclusion without some measure having been adopted for the general improvement and welfare of Ireland. There is a tax, my Lords, the imposing of which would do more towards the relief of the people than can be calculated upon, and which was alluded to by me upon a former occasion—I mean a Land-tax—to be disposed of on the spot in the general employment of the poor; nothing, in my humble opinion, would tend so much to the improvement of the country in all parts, by the establishment of industry, comfort, and loyalty—three essentials, your Lordships will allow. With these impressions strongly fixed in my mind, I beg leave to take this opportunity of stating my intention, at a very early period in the next Session, to move for leave to bring in a Bill for the effectual Relief of the Poor in Ireland, and which shall be framed in such a manner as, I trust, to ensure the full support of his Majesty's Government, as well as the concurrence of all noble Lords who may deem it advisable for the benefit of the Empire at large, to establish on a firm basis such a permanent mode of employment for the poor of Ireland, as may be advantageous for all parties, and thus preclude the necessity of annual emigration to England, which I need not observe to your Lordships, is injurious in every point of view. I shall now beg leave to move that this Petition be received and laid upon your Lordships' Table.

The Marquis of *Clanricarde* would take that opportunity of repeating a question which he put to the noble Duke (Wellington) on Friday, but the answer to which did not at all appear to him to be satisfactory. He had asked the noble Duke whether he had received any information as to the distress which prevailed in some parts of Ireland, and whether any and what measures were to be adopted to apply some relief; and the noble Duke answered that he had heard of some distress, occasioned by the high price of provisions, but not of scarcity. The only inference that he could draw from that answer was, that money must be in great plenty in Ireland: for if provisions were dear, but not scarce, it would argue that money must be in great plenty, which he believed would not be found to be the case. He was induced to repeat the question to the noble Duke from some accounts which he had seen of a serious disturbance which took place in the city of Limerick, in which some lives were lost. This account, it was true, rested on no better authority than the newspapers, but he thought that an account given with such circumstantial details was very likely to have some foundation in fact, though the statement might be exaggerated. The riot, or disturbance, was important, from the cause in which it was said to have originated. It was not owing to some of those accidental collisions which sometimes take place between the people and the military, but was said to have arisen from the pressure of want amongst the former. He repeated, that he had not any other authority for the account than that which he had mentioned, but he now wished to know from the noble Duke whether Government had received any account of the transaction; and if it arose from the pressure of distress, whether any measures had been adopted to give relief?

The Duke of *Wellington* said, he had received information that a serious disturbance had taken place in Limerick, and that some lives were lost before it was quelled; but he had not read the particulars of the account which was received. In answer to the noble Lord's question on Friday, he stated that some distress existed in parts of Ireland, owing to the high price of provisions, particularly of that food which was most common amongst the people—potatoes; but that was not a new occurrence. There was not a year in which something of the kind was not felt amongst the labouring classes at this period. When the stock of potatoes which they had been able to obtain out of their own gardens was exhausted, which occurred in many instances before the new crop was fit for use, the poor were obliged to resort to the markets, and the consequence was, a rise took place, which, as they had but a slight command of money, served to increase their distress. But however much, any privation or suffering amongst any class was to be regretted, it was frequently the fact, and was almost unavoidable. It arose out of the state of the country. He possessed no further information on the subject than any other noble Lord acquainted with the state of Ireland, but when the noble Marquis came there to question him, the noble Marquis should himself state what he knew on the subject.

The Marquis of *Clanricarde* said, that he had information as to the distress which prevailed in many parts of Ireland, and no Minister dared deny that it did exist, but he was not bound to come there with statements which ought more properly to come from his Majesty's Government. The noble Duke was at the head of a department of the Government which exercised a considerable influence over all the other departments, and it was his duty to obtain the fullest information as to the state of the country, and to submit it to Parliament, that some measure of relief might be devised, if it should be found necessary. It was on Friday that the riot to which he adverted, occurred in Limerick, arising, as was said, from the distress of the people; and yet on that very day the noble Duke had told their Lordships, that there was no scarcity of provisions in Ireland, but that they were dear. The noble Duke talked of a periodical starvation coming round as a matter of course. He was surprised that the population was not much thinner than it was found to be in Ireland, in consequence of this annual visitation. But if such a periodical starvation occurred it showed a state of things in the country, to which some remedy should be applied. He thought that the situation of the Irish demanded investigation. Surely it would not be denied when men, women, and children, were driven to acts of outrage by the pressure of want, that some steps ought to be taken, with as little delay as possible, to remove the causes of their great and afflicting distress.

The Earl of *Limerick* wished, as he was connected with the city in which the disturbance took place, to say a few words, lest his silence should be understood as an admission of the correctness of the accounts that had appeared. He had information on the subject,—not from the newspapers, but from a most respectable individual in that city. From this it appeared, that the riot began in a frolic of some boys, as early as eight o'clock in the morning; this was suffered to proceed until the numbers of the parties were strengthened by an accession of some women, who were neither silent nor inactive on the occasion: the women were soon after joined by the men, and finding no interruption from the civil authorities, who ought to have interfered at the commencement, they proceeded to various acts of outrage. They attacked several places where provisions were to be found, and helped themselves to bread and other articles, but it did not seem as if hunger was the only incentive, if it was at all, to their outrage; for they broke into several stores and shops, and supplied themselves with an article which men and women were fond of—he meant whisky. They also took—to enable themselves the better to provide against want—money in several instances. The military were at last called out, but the mob were allowed to regale themselves in this manner at the public expense for some time. When the military interfered some blood was spilled, and more probably would have flowed but for that interference. Now, he admitted that there might be distress amongst many so engaged, but he did not think that distress was the sole cause of the riot, which might easily have been prevented had proper measures been adopted at the commencement. It was true, that at this particular time of the year, just before the harvest, distress was felt amongst the labouring classes more than at any other time; and he owned he was not surprised that a spark should kindle a flame in that country, when he saw publications sent forth amongst the people there which were calculated to excite even the most torpid—much more his countrymen, who were so very apt to take fire on the slightest occasions. When he saw them excited to exchange what were termed worthless rags for gold—when he saw attempts to sow disunion, to destroy the confidence which ought to exist between the people and the Government;—when he found this done at a time when those who were the real friends of Ireland were endeavouring to bury all feelings of the past, and to promote that union which a recent measure of Government was calculated to produce, he was not surprised at such scenes as those to which his noble friend had alluded. He admitted the fact of the disturbance; but he could not concur with his noble friend in thinking that it was produced by the pressure of absolute want.

The Earl of *Winchilsea* said, the accounts in the papers were certainly very different from that given by the noble Earl who spoke last. The noble Earl said the disturbance commenced in a frolic, and the papers stated that it arose from want. This was in some respect borne out by what fell from the noble Duke, who admitted the recurrence of periodical want amongst the people, by their inability to purchase provisions. Surely such a state of things required the application of some remedy. It showed that Ireland required the serious attention of Government. As to what fell from the noble Earl (Limerick) on the attempts made to inflame the minds of the people of Ireland by publications addressed to them, that did not surprise him when he knew so many similar attempts had been allowed to pass with impunity. He should wish to know from the members of his Majesty's Government, whether it was intended to institute prosecutions against the Members of a late Association in Ireland—of those who had most illegally associated together for purposes which could not be otherwise than ruinous to the country? That body was permitted to do much mischief before it was put down. Men were allowed to swell into temporary consequence who would have been utterly insignificant if met by the severity of the law in their first attempt at illegal combination. Some of them ought not to have been allowed to leave Ireland until prosecutions were instituted against them, and until they were made to feel that the law was not to be set at defiance with impunity. He was not an advocate for Government prosecutions, except where the public security required it, but he thought the Government had much to answer for in not having taken immediate and active measures to bring the members of the illegal association to which he had alluded to justice.

The Duke of *Wellington*, in answer to the noble Earl's question, begged to say, that when the association to which he referred had taken that course which required the interference of Government, steps were taken to put it down. A proclamation was issued by the Lord Lieutenant, which had that effect, and if any attempts had been made to act contrary to that authority, measures would have been instantly adopted to enforce the law, and to punish those by whom it was opposed. There was, he must say, no want of activity on the occasion on the part of the Lord-lieutenant or the Irish Government.

The Earl of *Darnley* said, that the circumstances to which the noble Lords who preceded him had alluded as to the distress in Ireland, showed the necessity of some measure for the relief of the poor in that country. He meant some provision in the nature of a poor-law; and until that was adopted, the same state of distress, with its necessary consequences, would continue to punish them. He trusted that this subject might, in the next session, excite that attention which its great importance demanded.

The Petition to lie on the Table.

HOUSE OF COMMONS,

Tuesday, June 29.

MINUTES.] Petitions presented. Against the Spirit and Stamp Duties (Ireland), by Mr. G. MOORE, from the Guild of Merchants (Dublin); from the Parishes of Saint Andrew, SaintThomas, and Saint Bridget's, London:—By Mr. FFRENCH, from Roscommon. Against Suttees, by Mr. HUSKISSON, from Dissenters at Liverpool. For an Improvement in the Laws relative to the Anatomical Subjects, by Mr. MUNDY, from the Derby Medical and Surgical Society. Against the Renewal of the East-India Company's Charter, by Mr. LITTLETON, from Walsall:—By Mr. LEGH KECK, from Loughborough. Against the Northern Roads Bill, by Lord MANDEVILLE, from Saint Neots. Against the Stamp Duty on Medicines, by Mr. Alderman THOMPSON, from the Lozenge Manufacturers of London.

DANISH CLAIMS.] Lord *Milton* presented a Petition from the Corporation of Cutlers Hallamshire complaining that property had been first sequestrated and afterwards confiscated by the Danish Government, at the time of the seizure of Copenhagen, in the year 1807. The property they had lost in this manner amounted to at least 100,000*l.* The Droits of the Crown of England on the same occasion were at least one million sterling. If these Droits had not been already applied to the relief of other sufferers, they could not be more worthily employed than in affording some compensation to those who, relying on the faith of the Government, had lost this very large sum, being in many cases all that individuals possessed, and who had till this hour, remained without the slightest redress. He thought the cases of these individuals, and the proper application of the Droits of the Crown, a subject well worth consideration, at a time when they would so soon be called on to make some disposition of such properties, and when the power was in some measure placed in their own hands. The right hon. Gentleman (Sir J. Mackintosh) had however, a Motion standing on the question of these claims for the 1st of July, and he should, therefore, not at that moment trespass further on the attention of the House, but reserve what he had further to advance, for a better opportunity.

DISTRESS IN IRELAND.] Mr. *Henry Grattan*, in presenting a Petition from the Parish of St. Peter's, in Dublin, complaining of Distress, took occasion to advert to the situation of the people in Limerick, who had broken open the stores of provisions, and carried off or destroyed property, according to some reports, to the extent of 10,000*l.* The consequence of this act of violence was, that at least five persons had been killed, and the whole district was in a state of disturbance, and all the respectable people were filled with apprehension. He thought that some measure should be adopted to compel persons who lived in this country, and drew 10,000*l.* or 20,000*l.* a year from Ireland, to pay their proportion of the burthen of sustaining a famishing population; and he was satisfied that the people of Ireland would not enjoy peace and prosperity, until a tax on absentees was imposed.

Petition to be printed.

THE KING'S MESSAGE.] Sir R. Peel being then called on, brought up a Message from his Majesty, which was read by the Speaker. [For the Message see the Debate in the Lords, *ante*, p. 706.]

[During the reading of the message, the Members, in compliance with a very general call to that effect, remained uncovered, and the whole proceeding evidently attracted deep attention.]

Sir *R. Peel* then rose to move an Address in answer to this Message, and spoke nearly as follows:—Sir, I propose to defer until to-morrow the consideration of any part of this Message, the answer to which can by possibility provoke any difference of opinion in this House. But I am sure, Sir, I should not be acting in consonance with the prevailing—and, I trust I may say, the unanimous—feeling of this House, if I postponed even for the shortest period, the moving an Address to his Majesty, condoling with his Majesty on account of the severe loss which he, in common with the country, has sustained by the demise of our late much-lamented Sovereign; and offering, at the same time, to his Majesty, the assurances of our earnest hope and prayer, that his reign may be a reign of honour and of happiness to his Majesty and to his people. That principle of the Constitution which forbids the possibility of there being any suspension or interruption of the exercise of the regal power makes it necessary that we should unite the discordant and strongly-contrasted topics of condolence on the death of the late Sovereign, his Majesty's brother, and of congratulation on his Majesty's accession to the Throne of his ancestors; but yet, I am confident that no expression of congratulation, however strong—no prayer for his Majesty's health, happiness, or prosperity, could be more gratifying or more consolatory to his Majesty, than the assurance that this House deeply sympathises with him in his affliction for the loss he has sustained in the death of a beloved brother; and that it is also deeply sensible of the loss to him and to his people in being deprived of that Sovereign whom they now unfeignedly deplore. The House will bear in mind that his late Majesty administered the affairs of this country for a period of twenty years, a great portion of which time the nation was involved in a war, during which the reign of the Sovereign was signalised by some of the most brilliant achievements recorded in history, and the military reputation and renown of this country exalted to the highest pinnacle of glory. But in the course of a considerable portion of that time, during which his late Majesty reigned over this country, we enjoyed the highest blessings which could be conferred by peace; and I believe that much of the benefits we have derived from the mild and temperate administration of the laws during that period were owing to the mild and generous character of his Majesty himself. Sir, we live too near the period of those occurrences to be able to estimate in their full force all the benefits we have derived from the mild and beneficent Government of the late King; but I cannot help thinking that a more remote posterity will pronounce that reign to have been one of the brightest, and I may add, one of the most honourable as well as most beneficial, in the annals of this country. It will regard the late King as a Sovereign who, in war maintained, in its highest state, the honour, and character, and glory of England; and who, whether in peace or in war, during the whole course of his delegated power, whether as Regent or as King, never exercised, or expressed any wish to exercise, the prerogatives of the Crown, except for the safety and the advantage of his people. I am sure I shall not be considered as overstepping the language of truth when I say that the King was a liberal patron of the arts and of artists; and I may add, from much personal experience, that no appeal to his Majesty for the affliction or distresses of his subjects ever remained unnoticed, and that his generosity was widely and frequently extended to those whose situation demanded relief. Sir, this Address while it condoles with his Majesty on the loss of his brother, congratulates him on his Accession to the Throne of his ancestors; and I am sure I shall best consult the feelings and wishes of his Majesty, by refraining on the present occasion from any of that laboured or overstrained language of panegyric which the occasion might seem to demand. The life of the Princes of the Royal Family of this country is familiar to almost the whole of its people. I think it right to assure the House that his present Majesty has openly declared that the greatest relief he feels under his present difficulties, is the satisfaction that he has had opportunities of witnessing the conduct of his late revered father and lamented brother, and that he shall ever have his recollection of that conduct before him as his guide in the discharge of his important duties. The House will, however, bear in mind that his Majesty has, from his earliest infancy, been engaged in the active service of his country. His habits and principles in the discharge of the duties of the various stations he has occupied are well known. His conduct, whether as a Peer of Parliament, or as a private subject, is before the world, and has been displayed to so much advantage on so many occasions, that I think I may be spared the necessity of dilating on the subject at this moment; but I trust the House will cordially and unanimously join with me in voting an answer to this Address—declaring our anxious wishes that his Majesty may enjoy all health and honour and glory in the administration of the Government, and expressing our confident expectation that his Majesty's reign will be distinguished by an ardent desire to maintain inviolate our religion, our liberty, and our laws, and that he will labour to promote the true and permanent interests of all classes of the people. The right hon. Gentleman then moved, that an humble Address be presented to his Majesty, "To assure his Majesty that this House most cordially sympathises in the deep affliction in which his Majesty has been involved by the death of his lamented brother, the late King, and humbly to condole with his Majesty on the loss of a Sovereign so justly dear to his Majesty and his people; to express to his Majesty the deep sense we entertain of the blessings this nation has enjoyed under the reign of his late Majesty, from the long continuance of peace—the anxious efforts of his late Majesty to encourage the arts, to extend the commerce, and to advance the general welfare, of the country—to beseech his Majesty to accept of our cordial congratulations on his accession to the Throne—to assure his Majesty of our ardent attachment to his person—and to assure his Majesty further of our deep conviction that his reign will be distinguished, under the blessing of Divine Providence, by an anxious desire for the maintenance of our religion and the laws of his kingdom, and for the promotion of the happiness and liberty of all conditions of his people."

Mr. *Brougham* rose to second this Address, and began by expressing the great pleasure he had in finding that the right hon. Gentleman confined himself to such an answer to the Message as enabled him, without any abandonment of principle or sacrifice of feelings, to give it his most cordial and sincere concurrence. The right hon. Gentleman had justly said, that the twenty years of the reign of his late Majesty had been one of uncommon brilliancy; and he begged leave to say, in his humble opinion, that, according to his sense of that reign, as regarded the prosperity of the country, and the long maintenance of peace, that his Majesty had presided with a firm, and well-regulated, and salutary mind over the important duties he had to discharge in relation to the internal policy and condition of the country; and that many of the greatest improvements in the condition of the people, particularly that which had laid the foundation of domestic concord, were insured in his auspicious reign. He wished sincerely to condole with his Majesty in the loss he had sustained; and he heartily joined in that Address of Congratulation, which was of necessity, coupled with the condolence, and one of which was, in his opinion, in no degree inconsistent with the other; he joined in the cordial expression of a wish that his Majesty's reign might be long, and that, like that of his illustrious predecessor, it might be auspicious abroad, and fortunate, and happy, and glorious at home—glorious in the only way—unless by a uselessly vain figure of speech—it could be called—namely, in a rigid determination to lessen as much as possible the burthens of his people. By thus improving their lot—by adopting a course of Government decidedly useful to the people, his reign would be rendered truly glorious; and when that time came, when Providence should be pleased to remove him from his kingdom, he would be thereby enabled to lay claim to the lasting and imperishable gratitude of his country. This wish he cherished, not only in common with the right hon. Gentleman opposite, but, he would venture to add, in unison with the feelings of the whole House. He was not disposed to add one word which might in the slightest degree break in upon the unanimous feeling that prevailed on this occasion. He therefore purposely abstained from comments on the past, or what he considered might give rise to any difference of opinion. Guarding himself, therefore, from going beyond that feeling of condolence and congratulation expressed in the Address, he had great satisfaction in seconding the Motion of the right hon. Gentleman, because he felt that he could do so with safety, and without violating his public duty, or sacrificing any constitutional principle.

Sir Robert Peel then moved that the Address should be presented to his Majesty by such Members of the House as were of his Majesty's most honourable Privy Council.

Mr. *C. W. Wynn* proposed, as it was a subject in which the feelings of the whole House were so immediately concerned, and as it would be more respectful to his Majesty, and agreeable to the whole House, that the Address be presented by the House in a body.

Sir *R. Peel* said, that if it had not been for the approaching funeral of his late Majesty, it would have been more agreeable and right that the House should in a body present the Address to his Majesty, but as it was, it certainly would be better that the Address should be presented as he had proposed.

Mr. *C. W. Wynn* hoped to be excused for pressing his own view upon the House again; but he really believed it would be more agreeable—certainly to his own feelings—and likewise to the whole House, that the House should go in a body, and present the Address.

Mr. *Brougham* said, that on the occasion of the death of George the 3rd, which also happened on a Saturday, the House met on Sunday; but that, owing to some delay on the part of the Lord Chamberlain, in attending to administer the oaths, the House adjourned till Monday; and again adjourned over till Tuesday or Wednesday, and then adjourned, so as to allow the day of the funeral of his Majesty to pass over; then, indeed, the House could not do otherwise than go up in a body.

Sir *Robert Peel* observed, that, as his Majesty had retired into privacy as much as it was possible for him to do without detriment to any of the important public duties that devolved upon him, he believed it would be more agreeable to his Majesty to receive at the hands of the members of his Privy Council that Address which his Majesty could not but regard as the most unanimous and affectionate feeling of the House

It was carried unanimously, that the address be presented by such Members of the House as were of the Privy Council.

HOUSE OF LORDS.

Wednesday, June 30.

MINUTES.] Several Peers took the Oaths to the new Sovereign.

Petitions presented. For a Protecting Duty on Foreign Lead, by the Marquis of CLEVELAND, from the Scotland Mining Company. By the Earl of DARNLEY, from Saint Nicholas without, Dublin; Saint John's, Limerick, and Ballylaneen, against the Stamp and Spirit Duties (Ireland).

[The noble Earl deprecated any measures which, like these, might serve to thwart the beneficial effects of the healing measure of last Session.]

KING'S MESSAGE: DEMISE OF THE CROWN.] The Duke of *Wellington* moved the Order of the Day for taking his most gracious Majesty's Message into further consideration. The Message was accordingly read [for which see the Debate of yesterday, *ante*, p. 706.] The Noble Duke then proceeded to say—My Lords, it is now my duty to call your Lordships' attention to the latter part of his Majesty's Message, which is this: "The King, taking into his serious consideration the advanced period of the Session, and the state of the public business, feels unwilling to recommend the introduction of any new matter which would admit of postponement without detriment to the public service." According to the ancient principles of the Constitution, your Lordships know that the Parliament would be naturally dissolved on the occasion of the demise of the Crown; but, my Lords, owing to an Act of Parliament which was passed in the reign of King William, and continued in the reign of Queen Anne, this and the other House of Parliament are now sitting, and are enabled to continue to sit for the despatch of public business. Under these circumstances his Majesty's servants have advised his Majesty to send a message to your Lordships. His Majesty informs your Lordships, that notwithstanding the power to keep Parliament assembled for six months longer, he is induced to declare his intention to dissolve it at as early a period as is convenient, and that he will not bring forward any of those measures which might, under other circumstances, be considered necessary. That, my Lords, is the effect of the King's Message, and I shall now state shortly what are the views and intentions of his Majesty's Government, and what are the motives for recommending the dissolution of Parliament in such haste. My Lords, we are now arrived at that period of the year at which it usually happens that the business of Parliament is about to terminate; at least, my Lords, it generally happens that the business is so far advanced about this time, or within a month from this time, that it is possible to close Parliament. My Lords, it is not necessary for me to draw your attention in detail to the present state of the business before Parliament; it is sufficient for me to request your consideration of the state of the votes of the House of Commons, and the state of the votes of this House, and your

Lordships will see that so much business yet remains to be done, that, were it all to be completed, and were any new business to be brought forward at this period of the Session it must necessarily postpone the dissolution to a distant day, Parliament could not be dissolved; at least there would be no hope that it could be satisfactorily closed before a considerable time.' Under these circumstances, my Lords, and considering that the great calamity to which we have all been exposed has been expected for a considerable time, and that all men have been looking forward to a dissolution of Parliament within a limited period, and looking forward to a general election; considering, too, my Lords, that these circumstances have, for the last few months, occasioned considerable excitement, and that all the country is preparing for a general election, that few Members of Parliament would be likely to remain in Town, and that those few would be involved with considerations of their own personal interest, and be little disposed to attend to public business,—under all these circumstances, my Lords, and considering that most of the measures now before Parliament may be easily postponed, and that they may be brought forward with a probability of success at the beginning of another Session, his Majesty's Ministers have advised his Majesty to dissolve the present Parliament as soon as possible. I will not enter into any details of the measures which, under these circumstances, will be necessary.} I may state generally, that all the Accounts and Estimates of what will be necessary for the public service shall be prepared. His Majesty's Ministers propose that such sums as will be necessary for the public service shall be placed at their disposal till a new Parliament shall be assembled. Measures to provide for the honour and dignity of the Crown, including a temporary provision for the Queen, will be proposed in the other House of Parliament; and, in general, all other measures will be postponed until the meeting of the new Parliament. Under these circumstances, my Lords, I move an humble Address to his Majesty. "To return to his Majesty the dutiful acknowledgement of this House for the communication which his Majesty has been graciously pleased to make to it: To express to his Majesty the deep sense which this House entertains of his Majesty's goodness in being unwilling to recommend to the attention of Parliament, at this advanced period of the Session, and in the present state of public business, any new matter which may admit of postponement without detriment to the public service; and to assure his Majesty, that as his Majesty is of opinion that it will be most conducive to the general convenience, and to the interests of the country to call a new Parliament with as little delay as may be practicable, this House will apply itself without delay to forward such measures, and concur in such temporary provision, as may be requisite for the conduct of the public service in the interval that must elapse between the close of the present Session and the assembling of a new Parliament."

Earl *Grey* rose and spoke to the following effect:—In considering, my Lords, his Majesty's most gracious Speech, which was yesterday read, it appeared to me to contain some propositions of a most novel and extraordinary nature; and if that were my impression yesterday, my Lords, that impression is not weakened or diminished by the short and unsatisfactory statement—by the very meagre explanation—given by the noble Duke of the course which his Grace now recommends the House to pursue. The noble Duke, my Lords, began by stating very correctly the effects and object of the law passed in the reign of King William, and continued in the reign of Queen Anne—the authority under which we are at this moment assembled. It is true, my Lords, that that law was passed to enable Parliament, if sitting or if not sitting, to be immediately assembled—to provide by legislative measures, which could not be deferred, against circumstances of extreme difficulty, and even of danger. That was the object of the bill; and under what circumstances, my Lords, are we now sitting? If your Lordships consult the Votes of this and the other House of Parliament, as the noble Duke recommended, your Lordships will find that they contain many subjects of great and deep importance under the present circumstances of the country, requiring serious consideration, and which cannot, I think, be deferred without causing considerable inconvenience, and even danger to the public interests. My Lords, I see a necessity in adverting to the state of the country, and to the Address proposed by the Noble Duke, as well as to other circumstances—

I see a necessity, my Lords, though it may be a painful duty, to express my dissent from that Address. We are called on, my Lords, to make a provision—a temporary provision—for the public service, which it is necessary should be provided for, to be satisfactorily performed during the interval which will elapse between the dissolution of the Parliament and the assembling of another. The Address proposes to your Lordships to express an opinion of the propriety—of the necessity, I may say—of an immediate dissolution. I readily concur with the noble Duke in what he has stated of the expectation which has prevailed through the country of an immediate dissolution, which will occasion considerable inconvenience if the event be delayed. The attention of men is directed, I am aware, to subjects of personal interest, and it is desirable, I admit, that the state of excitement which usually accompanies and precedes a general election should be made as short as possible. But if this be an evil—if the country, being in a state of excitement and of confusion—be, as I admit it is, a great evil, we must consider, my Lords, whether, in our endeavours to avoid it, we may not incur the risk of a still greater evil, of greater inconveniences, of more dangers, and of greater hazard to the interests of the public. There is a necessity for an immediate dissolution the noble Duke says; but why is there this necessity? Apparently it arises from the circumstance, that during the long and afflicting period of uncertainty as to the issue of his Majesty's illness, when the minds of men have been directed to that event, the Ministers who have had the business of Parliament to forward, of whatever nature it may have been, have shewn themselves quite incapable of conducting it. The business of Parliament at a period of the Session which, in ordinary circumstances, would be drawing to a termination,—after five months' consideration, and though recommended from the Throne at the beginning of the Session, the business of Parliament has been, in fact, neglected. How has this happened? Look, the noble Duke says, at the state of the Votes. In ordinary circumstances the business of Parliament would at this time be brought to a close, or at least at one month from this time; and, my Lords, what proof have we that the business could not now be completed in a sufficient, and not an inconvenient time? Is it not extraordinary, my Lords, that after five months' discussion—when we have arrived at the 30th of June, when we should naturally look for the termination of the Session—is it not extraordinary that we should be in such a state of difficulty, confusion, and embarrassment? Is it, my Lords, at the same time understood what will be the nature and effect of the proposition of the noble Duke? It is, my Lords, that all the measures which have had the advantage of being under the consideration of Parliament for five months, must now be thrown aside, and put an end to? At the same time it is proposed to your Lordships, in order to get rid of the increase of business, and to avoid the confusion that would be introduced into the public service, if some provision were not made, to place in the hands of the Ministers, who have already shown themselves so incompetent to manage the business of the country, a temporary grant of public money. In what manner have they already deserved the confidence of Parliament, so as to establish grounds for its future confidence? See, my Lords, the extraordinary circumstance under which your Lordships are called on to adopt this Address. My Lords, since the law was passed, in the reign of King William, there has been occasion frequently to call it into practice. On the accession of Queen Anne, on the accession of King George 1st, on the accession of George 2nd, on the accession of George 3rd, and on the accession of his late Majesty, the Parliament continued to sit under the authority of this law. At an earlier period of our history, it was frequently necessary that Parliament should, after the demise of the Crown, be re-assembled to watch over the public interests. This has happened at all periods of the year. The accession of Queen Anne took place in March, that of George 1st, in August, of George 2nd, in June, of George 3rd, in October, and that of his late Majesty, George 4th, in the month of January. An accession, therefore, has happened at different periods of the year, and under every possible combination of circumstances; and in all these circumstances Parliament continued to sit and to act. The only exception was on the accession of his late Majesty, when Parliament was immediately dissolved; a precedent which it seems is now to be followed. In all the other cases, Parliament, whether actually sitting, or in recess, and having to be assembled, and at all periods in former times, had not found it inconvenient to sit; and in almost all cases the Parliament had settled the Civil List, and provided for the support of the Government and the dignity of the Crown before it was dissolved. All the precedents of these former periods were departed from in February, 1820. The Parliament which was assembled at the demise of George 3rd, had a measure recommended to it similar to that now recommended—a measure to make a temporary provision for the support of the Government, with a view to an immediate dissolution. But that precedent was not a good precedent. There are more precedents the other way, and precedents more worthy to be followed. I will not pertinaciously insist on the necessity of settling the Civil List before the close of the Parliament as an argument why the precedents of former times should be followed, in preference to the precedent on the accession of his late Majesty. I must, however, call on your Lordships to consider under what circumstances the Parliament was then placed. Parliament met in February, having previously met for a short time. The Session was just entered on; neither Supplies were proposed nor Estimates brought in, nor had there been any alterations of the laws proposed. All the business was to begin *de novo;* and the time required for the consideration of the Estimates and all the measures of the Session, and carrying them into laws, would have been so great, that the time, it was stated, would arrive at which the Parliament must be dissolved before they could be completed, which would occasion, as was then represented, great difficulty, inconvenience and danger. It was, therefore, recommended to Parliament not to engage in any measures which would protract the period at which Parliament might be dissolved, without any evil consequence or danger resulting from the dissolution. But how are the circumstances now? Are we at the beginning of a Session of Parliament? Have we not time to pass the measures, not now to begin but in progress? Must we begin the whole business of the Session *de novo?* No, my Lords. On February 4th Parliament met, and some measures were then recommended in the Speech from the Throne: those measures were subsequently introduced; they are now in progress, not in rapid progress perhaps, but so far toward completion as to make your Lordships sensible of the inconvenience of the measure now proposed with respect to the business of Parliament. Your Lordships will see the consequences, the confusion, the bad effects which will follow from the want of experience of his Majesty's Ministers. Some of these measures are of an important character, and essential to the public business; they are measures of necessity, and which urgently require Parliament to complete them, and it will be most injurious to the public interests if they are not completed. I am far from wishing to throw out any objections to the exercise of his Majesty's Royal prerogative, or to put any difficulties in the way of that prerogative when its exercise is called for on account of the public advantage; but I object, my Lords, as likely to produce great inconvenience to the public service, to the measure proposed by his Majesty's servants, for making a temporary provision for the wants of the Government, which is not warranted by the circumstances of Parliament, nor by former precedents. In the first place, then, I object to the Address proposed by the noble Duke, on the ground I have stated. There is another subject, my Lords, of great importance, and of great delicacy, from which a regard to my public duty will not allow me wholly to abstain. In the few words which I had the honour to address to your Lordships yesterday, I stated that it appeared to me that what was proposed was very extraordinary, and that of what was omitted there was much which deserved your Lordships' serious consideration. The whole matter, my Lords, came upon me so much by surprise, that I am but little prepared to say what should be proposed. Certainly, my Lords, it will require your Lordships to take further time to consider all the important matters contained in the Address you proposed to send up, as a respectful and loyal answer to the Message yesterday brought down from the Throne. My Lords, I stated that there was something omitted. I am well aware of the difficulty and delicacy of the subject omitted; but whatever I may say, I trust your Lordships will make a candid allowance for any want on my part, seeing that my feeling of public duty imposes on me the necessity of adverting to the question. Your Lordships will not impute to me any motives of personal interest—nothing is further from my thoughts—nor of entertaining any intention to show the smallest disrespect to the Crown, or any want of a feeling of confidence in the gracious person who now sits on the Throne. The noble Duke stated yesterday the grounds for our confidence in that illustrious person. Of the justice of those grounds I am fully aware; and in that confidence I fully participate. His Majesty will, I trust, enjoy many years of sound health. He has a vigorous constitution, strengthened by habits of temperance, and, according to my humble hope, I look forward with an assurance that his Majesty may enjoy a long life of prosperity and happiness. But, my Lords, Kings, as well as their subjects, are mortal. At the very moment that I am addressing your Lordships, how many individuals are suddenly summoned to that last account which we shall all, one day or other, be called on to give. The stroke of sudden death, my Lords, may fall on Kings as well as on their subjects. Is this danger impossible, my Lords? May this calamity not befall the country in the interval between the close of this and the assembling of another Parliament? Consider, then, my Lords, what would be the consequence to the country did such an event happen, and no provision made for it? My Lords, by the law of the land there is no minority of the King. Though the successor be an infant, he possesses all the rights of sovereignty. My noble friend who sits on the cross-bench will tell your Lordships, that, by the laws of this country, there is no minority for the King. A minor being King, has all the rights and prerogatives which belong to the Crown. I call on your Lordships to consider what would be the consequences should such a calamity as the death of the King fall on the country when the Parliament is not assembled, and no provision made for it; and should it not be provided for by anticipation? I hope that it is not probable that such an event will happen; but, while it is possible, it is necessary that it should be provided for, or the condition of the country might be most deplorable in the short period which might elapse between such an event and the assembling a Parliament. In what terms we should try and convey to the gracious Prince on the Throne a knowledge of the anxiety we feel to enter on the deliberation, I am not fully aware. Feeling persuaded, however, of the necessity of the measure, I will never shrink from the performance of a duty, merely because it is painful; and in performing it, I may hope that your Lordships will give me credit for honesty of intention, and for having no other motives than an anxiety to provide against a future danger. The subject ought properly to come under our consideration by a recommendation from his Majesty's Government; and I am sincerely persuaded that his Majesty would not be averse from such a recommendation; for he is of too manly and too considerate a disposition, to be able to hesitate, from those motives which men of an ordinary description might feel, in making such a recommendation to Parliament. I am not, therefore, without hope that such a recommendation may come from his Majesty himself. Should the proposition proceed from your Lordships, I should suggest nothing less respectful than an humble Address to his Majesty, praying him that he would be graciously pleased to recommend the adoption of some measure to provide against the great danger to which I have alluded. I do not know, my Lords, that it is necessary that I should say any more. I object to the Address proposed by the noble Duke, setting all the business now before Parliament aside, taking a sort of vote of credit as a means of temporary supply, and dismissing the Parliament while the business is not brought to a conclusion. It would be better, in my opinion, to provide for the Civil List, as has been done on former occasions; but on this I do not so pertinaciously insist: but I feel the great necessity of the last point to which I have alluded as a means of guarding against anarchy, and providing for the security of the Government till Parliament can be assembled, should that event occur which is possible. In what state, my Lords, will Parliament itself be, should such an occurrence as I have alluded to happen? My Lords, I must therefore, entreat your Lordships to give further time for the consideration of this subject, and I propose that the further consideration of the Message be deferred for as short a time as possible, but so as to enable your Lordships to consider what measures ought to be proposed. If I am not indulged in this, if a limited time be not accorded to your Lordships, I must bring under your Lordships' consideration an Amendment, proposing to add such terms to the Address as occur to me as most respectful to the Crown, and most fitting to accomplish the object I propose. I wish, my Lords, to consult with other persons as to the course which it is most advisable to pursue, and if my wish is not conceded I shall propose an Amendment. I shall now move, my Lords, that this debate be adjourned till to-morrow.

The Earl of *Harrowby* said, that though he did not agree in very many of the observations of the noble Earl opposite, yet he thought the conclusion to which he had come was most desirable—that the further consideration of this subject should be postponed, at least until to-morrow. He did not concur with the noble Earl in imputing blame to the government of the noble Duke for the course heretofore pursued; and he also differed from him in thinking that the public business should be postponed to another Parliament. Under ordinary circumstances he admitted that it would be inconvenient to postpone business of great importance to another Session: but, looking to the vast arrear of important business which, from whatever cause, had accumulated in an immense mass, and considering that men's minds, occupied as they must be, by the prospect of an approaching election, would not be in the best state for calm and deliberate discussion, he thought that such business as was not very pressing ought to be postponed to a time when men would come better prepared for its consideration. However important, then, some of the business might be, and though it was unprecedented to put off so much to another Session, yet he repeated, as Members would be too much occupied with their own affairs, connected with the approaching elections, to give that attendance or attention which the importance of the subjects before Parliament demanded, it would be better that it should be deferred to a period when the same obstacles to its mature discussion would not exist. With respect to the question of the Civil List, the noble Earl had admitted that it was a subject, the consideration of which, in the present Parliament, he was not disposed to press pertinaciously; and, indeed, there were many considerations which would render it desirable that it should be voted by a Parliament fresh from its constituents. On the other part of the noble Earl's address he fully agreed with him. The noble Earl said, that this was a subject of difficulty and delicacy; and their Lordships must feel that it was so; but if the noble Earl, with all his talent and his habits of speaking, felt this difficulty, how much more so must he feel it, who was so much inferior to the noble Earl in every respect? The noble Earl pressed the necessity of the consideration of the important question of a regency, because the next Sovereign of the country might be a minor; but though he admitted the propriety of this consideration, there was another, and, in his opinion, a much more important ground on which the propriety of this measure ought to be urged. In case of that event to which the noble Earl alluded, and which, though they must all hope would be far distant, was yet possible, and ought to be provided for, there might, it was true, be a Sovereign a minor, but the country might also be in a situation not to know who was the Sovereign, or whether there was any in the country. We might be in the situation not to know whether a King or a Queen was to be the Sovereign of the country. This was a matter which their Lordships all well understood, and it was a difficulty for which no time should be lost in making some provision. The difficulties of a minor coming to the Throne, without such provision, could easily be conceived. The law recognized no minority in the Sovereign, and, however young, if able to give his assent to a bill for the regulation of the Government during his minority, he could do so. But how did the case stand under the present circumstances? Their Lordships should recollect, that the illustrious person now on the Throne was married, and his Queen living, and there was a possibility that at his demise there might be a Sovereign in a half state of existence. In that case it would be necessary that some person should be appointed to superintend—to preside over the State, so as to keep the machine of the executive government going, until it should be ascertained whether there was a prospect of another heir to the Throne, besides the heir presumptive. In making provision for such an event, there would probably be no very great difficulty. He thought that if her Majesty were empowered, in case of such a fatal event as had been alluded to, to act as Regent for five or six weeks, if Parliament should be sitting at the time, or for a somewhat longer period if it were not sitting, the difficulty might be obviated. If there was a possible chance of an heir to the Throne other than the present heir-presumptive, the mother would be the best possible Regent for the infant heir; but if the prospect of such heir should be lost,—and the fact would be known within two months,—then Parliament, within the period he had named, would have sufficient time to make such provision as the case might require, and by this means Parliament might guard against the difficulty and confusion of having no recognized Sovereign at the demise of the Crown, should that event unhappily take place before an heir-apparent was born; for it was clear, that while there was a possibility of an heir-apparent being born, the young Princess, the heir-presumptive, could not come to the Throne. She could not be declared the Sovereign of these realms while another might possibly be in existence, who might come to claim that station by a more direct inheritance in right of descent. On all these grounds, then, he thought it behoved Parliament to come, with as little delay as possible, to the consideration of this important subject; but he admitted that it could not formally become the subject of discussion, unless a communication was made respecting it from the Throne. If, however, the question now before the House were to come to a division, he should feel it his duty to vote for the Amendment of the noble Earl.

The Earl of *Winchilsea* said, he was anxious to offer a few observations on this important subject. He admitted the constitutional right of the Crown to dissolve Parliament,—a right which he, in the exercise of his duties as a Peer of Parliament, was not disposed in any way to impede. But the question having become the subject of a proposition from the Throne to Parliament, he was free to discuss the expediency of its exercise. There were, as their Lordships knew, at present many important measures before Parliament, and, considering the great anxiety of the public for so many months, for some measure of relief, he should regret very much to see Parliament brought to a premature conclusion. But it was not on this ground alone he objected to a dissolution. He objected to it on two grounds. First, because the Ministers of the Crown wished to get rid of the responsibility of the advice they had given on some measures which were extremely unpopular in the country. The announcement of the dissolution, then, would go forth, and it would be believed that it took place because Parliament was found not to have confidence in the present advisers of his Majesty. Parliament, honestly representing the true feelings of the country, did not give Ministers support in some of their measures; and on this ground it would be believed that the dissolution took place because Ministers could not carry their own plans into effect. With respect to the other point urged by the noble Earl (Grey), he certainly thought it entitled to the serious consideration of their Lordships. The event to which allusion had been made was, he cordially joined with their Lordships in hoping, still far distant; but it was possible. Life was short and uncertain. There were many individuals then within his hearing who might never again visit that House; and the humble individual who then had the honour of addressing their Lordships might possibly be addressing them for the last time. In this state of uncertainty as to the duration of human life, which all felt and admitted, it surely would not be wise in their Lordships to leave a possible event, involving in it so many important consequences, unprovided for; those consequences too being of the most vital interest to the country. Another opportunity, he was aware, would be given for the discussion of this question, but he would say that that Minister must be a bold man who would come there and advise his Majesty to dissolve Parliament without making some provision for an event which was so uncertain, and which, without such provision, might place the country in an extremely unpleasant and perplexing situation. These were his sentiments on this important subject; and he spoke them in the discharge of his duty, and without any diminution of his most sincere respect and veneration for the illustrious person who had just come to the Throne. He would not give way to any individual in attachment and loyalty to the Sovereign, but on considering this delicate subject, he could not help expressing an anxious hope that the House would agree to the postponement of the question, as proposed by the Amendment of the noble Earl.

The *Lord Chancellor* said, he was extremely anxious, at this early stage of the discussion, to offer a few observations. The question before them was purely one of expediency. It was, whether they should go on with the immense mass of business then before Parliament, until they brought it to a close, or whether, with the exception of the most pressing measures, they should postpone them to another Parliament, when they might be discussed with that attention which their great importance demanded—an attention which, he agreed with the noble Earl (Harrowby) in thinking, could not well be expected while a prospect of a speedy dissolution was before the Members of the other House of Parliament. He thought, if their Lordships considered the advantages to be gained by either of these courses, they would find the predominance to be greatly in favour of postponing a great part of the business to a new Parliament. Their Lordships were aware, from the votes of the other House, that there business was greatly in arrear, and that if the Commons were to go on, with the view of bringing it to a close, many months must elapse before they would be able to get through it; and it was unnecessary for him to point out to their Lordships the very great inconvenience which must arise to every Member of both Houses from protracting their sittings to such a length of time at this period of the year. Further, he would beg to ask their Lordships, whether the close of a Parliament was the best time for entering upon the consideration of such subjects as were now standing for discussion in both Houses. Many Members would necessarily be absent, and many others so much occupied with the approaching elections, as to be unable to give that attention to the public business which they would be disposed to do in a new Parliament. The noble Earl (Grey) had alluded to the measures brought in by his Majesty's Ministers in terms of disapprobation. He was ready at any time to enter into a discussion as to the propriety of those measures, but he was unwilling to do so by a side-wind in this manner. He was certain that when each of them was examined on its own merits, they would all be found not to deserve the censure which the noble Lord seemed disposed to attach to them. It was stated, that amongst other things the Civil List ought to be arranged by the present Parliament. Undoubtedly, if Parliament sat long enough to go into all the other business before it, it would not be respectful to the Sovereign to pass over the Civil List, and postpone it to a future Session; but then let their Lordships consider what would be the result of adding such an important subject of discussion to those which were already before Parliament. What passed in 1820, when the subject of the Civil List was brought forward? That Civil List had been arranged in almost every one of its details four or five years before, and yet the discussion of it occupied Parliament full five weeks. Let such a subject be added to the other measures already before Parliament, and an accumulation of business would be the consequence, which it would be almost impossible for Parliament to get through, unless its sittings were to be prolonged for several months. Now, with respect to the other measure to which the noble Earl adverted, in the event of a demise of the Crown, he must say he was not one of those who indulged in such gloomy forebodings; but admitting, as all must, the possibility of such an event, the country would not be in a situation different from what it was on a former occasion, when no such provision as that now proposed was deemed necessary. On the accession of George 3rd, no such provision was made, and none was thought necessary for three or four Sessions afterwards. On the accession of an infant to the Throne, the same course would be adopted as on that of a Sovereign of mature years: a declaration similar to that which many of their Lordships had witnessed a few days ago would be made. The infant would have the power of continuing or changing his Ministers, and the same responsibility would exist as at present. Whatever difficulty might take place on such an occasion, there would be always the same whenever the next heir to the Throne was not the son of the reigning Monarch. Parliament was not, he considered, called upon, under present circumstances, to interfere. The better way would be, to let things take their course, and if the circumstance apprehended should arise, which all would deplore, Parliament must meet and provide for it in that way which might be deemed most adviseable. On these grounds, then, he would give his support to the proposition of the noble Duke

Viscount *Goderich* said, that any one looking merely at the period of the year, would think that the Session was drawing to a close, and might hesitate to do that which he was prepared to do,—support the Amendment of his noble friend. Looking, however, at the state of business before Parliament, it would be seen that next to nothing had been done, and if the Parliament were dissolved without bringing the business before it to a conclusion, it would create great dissatisfaction, and much confusion, in the country. What had been done with respect to all the measures that had been proposed? The measures of finance, those relating to commerce, and to Excise, and to other important points, were left unfinished. If any blame was to be attached for not having got through the business more quickly, he thought the very worst remedy which could be applied was the course now proposed by Ministers. He was rather surprised that they should be in a hurry to get rid of such a Parliament. He should like to know how some of the measures before Parliament were to be settled—whether they were to be remodified for the third time, or to be left to chance hereafter? These were matters which ought to be pressed on the consideration of his Majesty's Ministers; for it would not be contended that the country should be left with all the great measures before Parliament in an unfinished state. As to the other point on which his noble friend had touched, he admitted that it was one of very considerable delicacy; and his noble and learned friend on the Woolsack had admitted as much, though he did not admit that it was of such pressing importance. His noble and learned friend had cited the case of the accession of George 3rd, as one analogous to the present; but, with great deference, he must say that that case was not at all in point. His noble and learned friend had said that no provision for the succession to the Throne was made in the reign of George 3rd, until three or four years after his accession; but why was it found necessary even then? Because his Majesty had been attacked by a serious illness, and, as the father of his people, for whose welfare he always felt the most sincere interest, he found it necessary to make a provision for a contingency, which, if it happened without such provision, might involve the country in a great difficulty. The same principle should be applied to the present circumstances of the country; for though every one of their Lordships must look to the possible event to which allusion had been made as one to be deeply deplored, yet, in the same degree in which the country would have to lament it, so should be the anxiety of Parliament to make provision for the difficulty in which it might possibly leave the country. These were reasons which induced him, and which he hoped would induce their Lordships, to desire that this question should be provided for with as little delay as possible.

The Earl of *Eldon* said, that on a point so important as that now under the consideration of their Lordships, he was anxious briefly to state the reasons which induced him to give his support to the Amendment of the noble Earl (Grey) near him. He did not mean to say a word which would impute blame to either House of Parliament for the state in which the business stood. He would merely confine himself to stating a few reasons why he concurred in thinking that their Lordships ought to delay the further consideration of the Address until to-morrow evening, in order to give time to Government to consider of the suggestions which had been thrown out. If it were supposed that he had any objection to an early application to the people, in order to give them an opportunity of expressing what they thought of the conduct of Government, those who supposed so were mistaken: no man was more anxious than he was, that the people should have that opportunity at the earliest period—even that very night, if the state of the public business, and other circumstances involving the interests of the country, permitted. If the people were satisfied with the conduct of Government, they ought to have an immediate opportunity of expressing that satisfaction. If they were dissatisfied, they should also have the opportunity of declaring their feelings. He had heard a good deal by report of the dissatisfaction felt amongst the people, and of its expression in words, and he should like to see them have an opportunity of showing it by acts; for if it were to be expressed only in words, and not acts, he would say let them be content with their complaints. He did not rise on this occasion to answer the arguments urged in support of the Address, for it appeared to him that both the speech of the noble Duke, and that of his noble and learned friend on the Woolsack were in favour of the Amendment proposed by the noble Earl. What was the argument of the noble Duke? That up to the time of William 3rd, Parliament was necessarily dissolved on the demise of the Crown; but what was the result? That Parliament itself had so strongly felt the inconvenience of that course from time to time, that at last a measure was introduced, in which it was declared that the evil should no longer exist. All this, if urged in favour of a dissolution of Parliament, had, in fact, a tendency to show that a contrary course should be adopted. He had listened to the observations which had been made of an infant Sovereign coming to the Throne,—a little King that one might play with. Now, for his own part, if he were a Prime Minister, there was nothing he should like more. It would, no doubt, be much more convenient than to have a Sovereign who would not submit to dictation. The noble Duke knew very well to what he alluded; but he would ask their Lordships whether, if an infant Sovereign were to be on the Throne, some provision ought not to be made beforehand for the administration of the government in a manner less objectionable than by the direct agency of a child of tender years? If an infant Sovereign were to be on the Throne, whose head could not be seen over the integument which covered the head of his noble and learned friend on the Woolsack, he would, by what the Scotch called a fiction of law, and by what the English called presumption, in favour of a Royal infant, be supposed to have as much sense, knowledge, and experience, as if he had reached the years of three score and ten; but admitting the truth of the supposition in a constitutional sense, was it unreasonable to ask that there should be some party acting for the Sovereign, during what might be termed his natural, though not his political minority? But there were other cases for which it was the duty of Parliament to make some provision, and he admitted the prudence of considering that to which the noble Earl (Harrowby) had adverted,—the possibility of a successor to the Throne, though not yet visible, being in existence, at the demise of the Crown. Cases in some respects analogous to this, as far as the question of hereditary succession to title, were of no uncommon occurrence. He would suppose, for instance, that another Guy Fawkes should succeed in blowing up that House, and that his noble and learned friend on the Woolsack was the only person fortunate enough to escape; he knew that before writs were issued to those who were to succeed many of their Lordships, his noble and learned friend would have to inquire whether their Lordships left widows, for if their Lordships left no issue born, the inquiry would be whether their widows were in that state which afforded a prospect of a successor; and if they were, no writ could be issued until that question were decided, by the birth of an heir, or until a sufficient time had elapsed to put the chance of issue beyond doubt. He would have to ascertain whether there was any little peer—not then visible—but who might be so in due course of time; and until that was determined, the title would be as it were in abeyance. Now would it not, *á fortiori*, be still more necessary to make the same inquiry, in case of the event to which allusion had been made? Would it not be necessary to make some provision for such a contingency, which was by no means impossible? The necessity indeed for such a provision was so evident, that he could not see why it should be disputed for a moment. In any measure adopted after the demise of the Crown, in case none was adopted before, it would be necessary to have recourse to the authority of some party exercising the power of the Sovereign. There must be a real or a phantom King, and it was just the same in principle whether this little King was not able to speak or walk, or whether he was only *in ventre sa mere*. To prevent the difficulty to which this would give rise, recourse should be had to the authority of a Sovereign, who was really, as well as constitutionally, able to exercise the prerogative of the Throne. So convinced was he, under these circumstances, of the necessity of some early provision for such a contingency, that he must vote for the Amendment of the noble Earl.

Lord *Ellenborough* said, that whatever might be the hopes and wishes of every Peer present—whatever might be their political views, they must all agree that the event which had occurred, he might say only a few hours back, in depriving the country of the late Sovereign, had placed it in circumstances of considerable difficulty; and he was sure it must be the general feeling of their Lordships to wish to meet that difficulty so as to diminish its force, and to give tranquillity to the people, and stability to the Throne, so essential to the security of both. There was no man in the House, impressed as he was with the deepest and most hereditary respect and regard for the noble and learned Lord (Eldon), who would feel more deeply than he should a sentiment of real grief if he could think that the noble and learned Lord had addressed their Lordships for the last time; but he did hope that he had heard the noble Earl addressing the House for the last time in that tone of jocularity which, under circumstances of great, and deeply, and generally felt misfortune, the noble and learned Lord had thought fit to adopt. He confessed he did not expect to hear the noble and learned Lord make use of such a tone in treating the subject, and he found it impossible to restrain the expression of his regret and surprise at the course in which the noble Earl had indulged. He had already said, that we were placed in circumstances of great difficulty, and he thought that what all must desire was, to adopt measures such as might enable us to surmount the difficulties of our situation. Allusion had been made to the state of public business, and it was emphatically declared by a noble Viscount, that nothing had been done. Supposing this to be the case, on what did the noble Lord found the expectation that, in the event of the Session being prolonged as was desired, much progress would be made in public business? Were not all the circumstances that had contributed to lead to the state of things now complained of increased, in effect, by what had occurred within the last few days? Did not every Member of the House of Commons know that he must shortly appear before his constituents? and if the circumstances of the last six or eight weeks had so much increased the difficulty of proceeding with public business, did not recent circumstances render the difficulty still greater? The noble Earl behind him admitted that, looking merely at the business already before Parliament, there was no hope of concluding it in the present Session; and if to all that business be added the question of the Civil List, which, as had been stated by the noble and learned Lord on the Woolsack, had upon one occasion occupied the attention of Parliament for five weeks,—if the consideration of that other measure (one of unparalleled difficulty) were added,—if their Lordships attempted to meet the case of the decease of the Sovereign during the pregnancy of the Queen,—and were to provide for all the possible difficulties that might arise from an apprehended minority,—what chance was there of bringing matters to a conclusion during the legal continuance of the present Parliament? It had been said, many, many years ago, by one of the wisest men that this country had ever produced, "stay awhile, that we may make an end the sooner." In that apothegm there was much real wisdom; and it was because he thought so, that he fully agreed in the propriety of the proposition made by the noble Duke at the head of the Government. If this proposition were adopted, Parliament could complete matters of pressing exigency in the present Session, and bring forward other subjects of a less urgent nature on a future occasion, with much more advantage than now, and with a prospect of their being disposed of in a shorter time. He trusted it was unnecessary to assure the House that the course which his Majesty's Government had determined to pursue was one which it had chosen after the most anxious deliberation. He never at any time gave an opinion on a public subject with such a perfect conviction of being right as now. It was not a matter of so much interest to Ministers as to his Majesty, to the Royal Family, to the Monarchy, and to the constitutional Government of the country, that they should defer going into the subject in question until they could bring to it all that maturity of deliberation and cool consideration that were necessary. It was his firm belief that, if the subject were fairly considered, there would not be found a single Member of the House of Commons, but those who feared to meet their constituents, nor one of their Lordships, but such as might not feel the warmest regard (as no doubt the majority of the House did) for their Sovereign, and a decided determination to support a monarchical form of Government,—it was his belief that there were none but such as those who, after sufficient deliberation, would not agree in the propriety of the noble Duke's motion. Here he should have concluded, did he not feel it necessary to express his great personal regret at the language of the noble Earl opposite. Adverting to the noble Earl's conduct since the formation of the present Government,—to his almost entire confidence in the wisdom of its measures, and to the gratitude which the noble Lord had expressed at some of those measures, it was with the deepest feelings of personal regret that he had heard the noble Earl's words to-night, to the effect that he considered the existing Government incapable of conducting the business of the country with advantage. He could not help thinking that that opinion, (and, as it was entertained, he was glad it had been expressed) came from the noble Earl with a bad grace. However, he rejoiced at least at knowing who were the real opponents of the Ministers and who their friends. Among the former he did not expect to see the noble Earl. But the members of the present Government having been honoured by the confidence of his Majesty, had advised their Sovereign, in singleness of heart, and with a desire to promote the public welfare, to adopt the course now proposed; and great as might be the danger of the noble Earl's opposition,—great as was the fear with which he saw the noble Lord at last, and he must say rather unexpectedly, arrayed against them,—even against the opposition of the noble Earl, would the Ministers endeavour to maintain themselves, and continue to pursue, as they ever had done, what they conceived to be the course of duty, reckless of what might happen to themselves. Ministers would proceed, actuated by those motives, as they proceeded last year, to the accomplishment, he might say the conquest, of that great measure which it had been so long the object of the noble Earl to accomplish, but which neither his nor any other Government could ever effect. The members of the Government were determined to pursue, as heretofore, the line of public duty, and they would continue their endeavour in spite of the noble Earl's opposition. So long as his Majesty should honour them with his confidence, they would discharge their public duties in what they considered the most effective manner, maintain the public interest, and fulfil their Sovereign's wishes for the public welfare.

The Earl of *Harrowby* explained, that he did not object to the postponement of the public business; what he objected to was, being obliged to decide immediately on the Address, without having had time to consider it.

The Duke of *Richmond* did not rise to detain their Lordships for any length of time on the subject under consideration, and still less did he deem it necessary to answer the attack made by the noble Baron upon the character of the noble and learned Lord, whose reputation stood as high as that of any man in the country. He said this, because the noble and learned Lord having spoken could not rise to defend himself. With respect to the other noble Lord who had been also attacked by the noble Baron, he thought he should be doing the House an injustice if he were to attempt an answer. The noble Earl, who was well able to defend himself, would enjoy an opportunity of doing so, and when the moment of reply came, the noble Baron would rue the hour in which he had incautiously and unconstitutionally dared to attack the noble Earl. No Minister had a right to impute motives to noble Lords, and the noble Baron had departed from parliamentary usage in doing so. He understood the noble Baron to say that he was glad the noble Earl had avowed his opposition to Government, adding, that it was better to know "our opponents than to have secret enemies." Did not a statement such as this involve motives which no man, with a heart in his bosom, or possessing the principles of a gentleman, could endure? The noble Baron had offered no reason why the discussion should not be postponed till to-morrow. The noble Baron said, that the Ministers had the confidence of the Crown, and that so long as that was the case, they would continue to hold the reins of office. Now he (the Duke of Richmond) contended that the House of Commons had refused its confidence to Ministers,—and had good reason for refusing them its support. If the present House of Commons were dissolved, he hoped that the next would pursue the same course with respect to Ministers. Why was it that business could not go on? Simply because Government did not possess the confidence of Parliament. The present was a Government of expediency, full of vacillating proposals, which never introduced measures on their proper grounds. He was opposed to a dissolution till some provision had been made on the subject of a regency.

Lord *Ellenborough* thought it hardly necessary for him to offer any explanation of what had fallen from him relative to the noble and learned Lord. The noble Duke was probably the only Peer in the House who supposed that he had intended to attack the noble Earl, for whom he had expressed the strongest hereditary regard and respect. He disclaimed any intention of imputing improper motives to the noble and learned Lord, who, he was sure, was the last person to be actuated by them.

The Marquis of *Lansdown* felt himself bound not to enter into anything extraneous upon a discussion like the present; but he begged their Lordships to look at the painful condition in which they were placed. He fully concurred with the noble Lord opposite, who had just spoken in explanation, in one sentiment; viz. they could not but consider it their first duty to give repose and tranquillity to the people. But what was that noble Lord's recipe for procuring repose and tranquillity? It was the most extraordinary that, under the circumstances, had ever been enunciated in Parliament; it was, in the midst of difficulty and probable hazard, to abandon the people; it was, under circumstances of uncertainty and danger, to neglect to provide for the safety and good government of the country. The noble Baron called upon the present Parliament to forget its duty, and recommended it to postpone to another Parliament that which ought to be done instantly, and to another Parliament to be hereafter assembled at an indefinite period! He need scarcely remind their Lordships, that to adopt such advice would be to contradict the policy of all legislation in this country, from the earliest periods. Was it not in all cases customary for Parliament to provide for deaths, and other possible events? Was it not a large portion of the business of legislation to provide for such possibilities? That was the argument. The course for which he and his friends contended, it was alleged would produce much inconvenience to individuals—while those who made that allegation appeared not to recollect, that a great constitutional precedent was about to be created, the remote effects of which no man could anticipate. He would reduce the question to a narrow compass. Was Parliament to turn its back upon its own functions, at a moment when those functions happened to be of the highest importance to the public interest. He hesitated not to affirm, that if they once gave way they would put an end to the Act of William III., and to the Act of 3rd Anne. The noble Lord seemed to hold, that in proportion as the exigency was great and difficult, so was the incompetency of Parliament to provide for it. The difficulty was great, but they were not capable of providing for it. Was that anything more than saying, in so many words, that the most important functions of Parliament, Parliament was at that time not able to discharge? If so, the Acts to which he referred ought to be repealed at the earliest opportunity. He would not enter into particulars; but admit at once that there were difficulties in the case; but they were difficulties which could not be considered as insuperable, and which, if Parliament shrunk from contending with, it would no longer be deserving of the trust reposed in it by the Constitution. The noble Lords who opposed the Motion had been accused of lending themselves to party purposes. He confessed himself totally at a loss to understand what purpose of party could be served by the course they had adopted: they had been influenced by no consideration, except a conviction that it was the duty of Parliament to provide, temporarily at least, for the exigency that might arise; and it was upon that ground that they called for the delay of a single day, to consider whether it might be desirable to make the provision of which he spoke or neglect it. He could not conceive how Parliament could, with propriety, lend a hand to its own dissolution, leaving a case of so much importance unprovided for, involving so great a change, so momentous a principle of the Constitution itself. The manner in which that contingency might be provided for was quite another question; but he was sure, if it went forth to the public that, on an occasion like the present, Parliament had not provided for the possible contingency, it could not but lose the confidence of the people, and it would deserve to lose that confidence, if the inconvenience felt in the last reign left no impression upon their minds, or produced no effect upon their votes. It would, not without reason, be thought, that for no good motive they shrunk from the present difficulty, and sought, in a flight from their duties, that refuge which unwillingness to perform those duties made necessary. If their Lordships would but bear these considerations in mind, he felt persuaded they would concur with him in thinking, that to ask a delay of twenty-four hours was not asking too much. What might be done, even at the end of that period, would not afterwards shut them out from a full discussion of the question at a future time, nor would it pledge any Peer to the vote he might give hereafter.

The Marquis of *Londonderry*, upon so momentous an occasion as that, would not occupy their Lordships' attention for more than a very few minutes. The Address which they had been called upon to vote, introduced so many, and such important considerations, that he could not bring himself to advert to them in the slight and cursory manner which the limits he prescribed to himself necessarily imposed. He must content himself with defending the motives and conduct of the noble and learned Earl who supported the Amendment, as well as of those who acted with him, which, in his estimation, were both honourable and constitutional. He deprecated the haste with which the proposition of the noble Duke was pressed forward. He urged the advantages of giving his Majesty's Ministers time to reflect upon the course they were pursuing, and he also entreated them to consider how important it was for themselves to have time to reflect upon what was perfectly unknown to any one of them before they came down to the House that evening. He believed there was not a noble Lord in that House, who, before they met, had the least idea of the proposition that was to be submitted to them: he therefore contended, that an extension of the time was a matter of the utmost consequence. He also thought the case of considerable importance from the mode in which it had been treated by the noble Baron behind him. That noble Lord, though he talked much of repose and tranquillity, had thought proper to make personal allusion to a noble Earl opposite, and that on an occasion when they were assembled to discuss one of the greatest questions which could be brought before them. Though he differed in some points from the noble and learned Earl—especially as regarded the great measure of last year, he must bear the highest testimony of admiration to the uniform consistency and disinterestedness of his career. He approved of that measure, and thanked the noble Duke for carrying it through; but he could not forget that it was the supporters of the present Amendment who sowed the seeds of that measure, though they never had the satisfaction of reaping the fruit. All the honour fell to those who came in at the eleventh hour; but it was a fact beyond dispute, that it was the advocacy of noble Lords opposite which brought that great measure to maturity. He, therefore, could not silently allow the noble Baron to take credit to that Government for a measure, all the gratitude for which was due to other parties. In fact, it was one of those measures which, sooner or later, must have been acceded to, no matter who held the reins of Government. Many accusations of party motives had been made in the course of the present discussion; and that alone, he thought, ought to influence the House to adopt the Amendment rather than the Motion: and, as so many personal allusions had been made, and as so little time had been asked for, he thought the House would best consult its own dignity, as well as the truest interest of the public, by voting with the noble Earl. In so voting they pledged themselves to nothing. When the question should come fully to be discussed, he was not prepared to say what course he should advocate or vote for; but, in the present circumstances, he had not the slightest difficulty in saying, that it would be not only inconvenient, but indiscreet, for Parliament to separate without making some arrangements on the matter under consideration.

The Marquis of *Bute* was understood to say, that it was morally impossible, under the present circumstances, that the House of Commons could be induced to give its attention to a question of so much importance and difficulty as that which the noble Lords who supported the Amendment wished to have submitted to the consideration of Parliament. The extraordinary and momentous character of the question was admitted on all hands; and it was likewise admitted, that, were it of an ordinary kind, it ought not to be allowed to detain the Parliament under present circumstances—still less could it receive due consideration when it was of that unusual and important nature which the present question confessedly was. He could not be induced to think the separation of Parliament, without making the arrangements in question, was a matter of so much moment as had been imagined. Suppose a minor succeeded to the Throne—that minor, under some advice or other, would appoint an Administration—and, for the time, that Administration could carry on the business of the Government. Those who contended for the adjournment, must look to the possible contingency of the death of his present Majesty within the next two months. Now he believed that there was very little serious apprehension of any such event—he believed that no man in the House or the country looked forward to it. He wished to know what proportion of their Lordships could put their hands upon their hearts, and say that they felt any serious apprehensions of any such danger. There was really in the case no greater difficulty than had occurred twice in the reign of George 3rd.—in the years 1789 and 1811. On those occasions the Houses of Parliament passed two bills without knowing from whom the Royal assent was to come. The noble Lord then entered into an eulogium upon the public character and government of the noble Duke, and expressed the deepest gratitude to him for the measure of last year; and he thought also that, for many other measures, the country had reason to feel very grateful to the present Government.

The Earl of *Carnarvon* put it to the House, whether the continuance of the Session for a few days longer was not infinitely a less evil than permitting the country to incur the hazard of such an event as that the possibility of which was contemplated. He only advocated their remaining together for a few days longer for the purpose of passing a temporary bill. He would not ask if Ministers had or had not the confidence of the Sovereign, or of the people, or of the Parliament, but he would ask, had they their own confidence? The fact was, they had no reliance upon themselves—theydesired to run away from their own bills, from which, if they did not run away, those bills would soon steal away from them. They sought a dissolution, in the hope that in a new Parliament they might find more compliance. The noble Duke, too, might hope that in a new Parliament he might find a Chancellor of the Exchequer capable of bringing forward a Budget practicable and intelligible—he might wish all that; but was he therefore justified in advising the Crown to pronounce a censure upon the House of Commons—to declare them now, in the month of June, at that not very advanced period of the year, incapable of exercising the functions allotted to them by the Constitution? Upon grounds such as these, he thought their Lordships should adopt the Amendment, particularly as the time required for the consideration was very short. Let the question, however, he decided as it might, the country would not hesitate to decide between those who supported the motion of the noble Duke and those who voted for the Amendment of the noble Earl. They were called on, forsooth, to give repose to the country—no, it was not repose for the country which was really sought—it was repose for the Ministry from the effects of their own blunders. He declared that in opposing the Motion he was not influenced by hostility to the noble Duke; he was influenced by nothing but a persuasion that the adoption of that Motion—could not fail to create dissatisfaction throughout the country at this important crisis.

The Earl of *Wicklow*, after so much oratory from every quarter, and after so much ill-timed anger and violence from the noble Duke on the cross-bench, thought he should turn the short time prescribed to himself to the best account by calling their Lordships' attention to this very simple question, into which the matter under discussion resolved itself—would they, under the peculiar difficulties of the present case, adopt the course recommended from the Throne, or would they, in preference, take the advice given to them by noble Lords on the other side of the House? For his part he could not imagine how noble Lords found it possible to suppose that by the Act of Parliament so often quoted, it was intended that whenever the country was placed in circumstances like the present the business of the Session was to re-commence. The object of that Act was to put the country in such a situation as not to be left on the accession of a new Sovereign, without a Parliament. He admitted that in the present case there was considerable difficulty, but to his mind that difficulty was fully met by the speech of the noble Duke, and by the speech of the noble and learned Lord on the Woolsack, which completely convinced him that he should best discharge his duty, as a Member of that House, by voting against the Amendment. He had the most perfect confidence in the noble Duke at the head of the Administration, and he thought that, both in the opinion of the House and the country, he had, by the great measure of last year, established the strongest claim to that confidence. The time was too short for the memory of those great services to be lost; he therefore gave the noble Duke his most cordial and unqualified support; and he gave that support the more readily when he saw the Amendment supported by one of the most unnatural coalitions that had ever been witnessed in this country.

The Earl of *Harewood* acknowledged the great importance of the question under discussion. He was perfectly satisfied that, in the present state of things, Parliament could not do justice to such a question. Though not one of those who was grateful to the noble Duke for the measure of last year, yet he would, as an independent man, support him on this occasion. He had been too long in Parliament not to know what was the meaning of the adjournment for twenty-four hours. The facts stood thus;—Within twenty-four hours after his accession to the Throne, his Majesty appointed the noble Duke and others to be his Ministry; and was the House to offer resistance to the first proposition that came from the King after his accession? However much he might wish to assert, and to preserve his independence, he would not set himself against the first suggestion they had received from the new Sovereign; that, however, did by no means pledge him to a general support of the measures of Administration. Though, in supporting Ministers on the present occasion, he opposed the friends with whom he had acted on the discussion of the memorable measure of last year, he saw no inconsistency in his own conduct. He was bound to regard the appointment of the present Government as an appointment *de novo*, and he would, on that occasion therefore, at least, give the Ministers the support they required.

The Earl of *Radnor* observed, that the noble Earl opposite supported the present Motion merely on the ground of its having been the first which proceeded from his present Majesty, and, so far as he could perceive, for no other reason. Now he conceived it to be unconstitutional to impute any political motive to the Sovereign. Every thing he did was by the advice of responsible Ministers. The noble Earl did not favour the House with a single argument except one, and that was the most fallacious that could easily be imagined. A noble Earl (Wicklow) who spoke on the other side, said, that his mind was made up on the subject. He had probably had an opportunity of considering and deliberating on the subject for some time; but then he ought to allow other noble Lords time to deliberate on the measure recommended, and make up their minds upon it. The Ministers, the noble Earl said, had deliberately considered the measure before they recommended it to the House: but if they had examined the matter with so much deliberation, why not allow others the same privilege, and then perhaps they might come to the same conclusion? He admitted, however, that it was not likely that he should agree with them. He considered, that if their Lordships should consent to the proposition of the noble Duke, they would be taking a great part of the responsibility on themselves which ought to rest with Ministers. It would be considered that they had concurred with the Ministers in recommending an immediate dissolution. He hoped that this was a responsibility which their Lordships would not be disposed, under existing circumstances, to take upon themselves. It was manifestly of the highest importance that Parliament should continue to sit for some time longer, for, besides the measure of great and paramount importance upon which the noble Earl who moved the Amendment had principally insisted, there were many other considerations which rendered an immediate dissolution highly inexpedient. A noble Baron (Ellenborough) on the opposite side talked of giving repose to the country by this plan of a dissolution. That argument was not very consistent with some that had been used by those who supported the proposition of the noble Duke. It was well known that measures had been recommended in the Speech from the Throne, which had not yet been passed. Several measures of legal reform had been mentioned, and were yet in progress, but none of them had been completed. A prospect had been held out that taxes would be reduced to the amount of three millions, but that reduction had not yet taken place. The Beer Bill was in progress, but that too would be stopped by a dissolution. The people, who were oppressed by the burthen of taxation, had been looking to the relief which had been promised, but they would be disappointed. The Beer-trade would be thrown into confusion, and the progress of many commercial measures now before Parliament would be arrested. There was another matter of the highest importance to be considered, and that was the state of the country, and the distress under which the people had for some time laboured. A promise had been made at the opening of the Session, that some measures would be brought forward to alleviate the distress, but none had been adopted; and yet their Lordships were called upon to recommend an immediate dissolution, and that, too, without being allowed the short space of twenty-four hours for deliberation. The question came upon them completely by surprise,—they were called upon to decide, without time to consider; and under these circumstances he thought it might well be anticipated that the majority of their Lordships would vote against the proposition of the noble Duke, and for that of his noble friend.

The Earl of *Mansfield* said, it had not been his intention to make any observations on the Amendment proposed by the noble Earl, and he only rose in consequence of what had fallen from a noble Lord a short time ago, who seemed to attribute to some hidden motive the coincidence of opinion which appeared amongst noble Lords who were not in the habit of acting together, and to which he had applied the epithet of "unnatural coalition." Now, for himself he would say, that he belonged to no party; and that he had entered into no coalition. For many years he had seldom obtruded himself on their Lordships; he had regulated his conduct by his own conscientious opinion, and he never could be said to have belonged to any party. The circumstances, the peculiar circumstances of last year,—the deep interest which, in common with other of their Lordships, he took in the measure then before the House,—the unfeigned indignation which he felt, in common with other noble Lords, with reference to that measure,—fastened and united those bonds which connected him, by a feeling of principle, with many noble Lords during that Session. They might have acted together; and in the few Debates which had taken place, there might have been a coincidence of opinion amongst some who formerly did not agree on many subjects, but he repeated that there was no coalition. This he repeated on the part of those with whom he had acted, although he certainly was not constituted their organ, or authorised to express their opinions. He knew that the bond which united them together was a want of confidence in his Majesty's Government, a determination not to support his Majesty's Ministers, and a decision to bring forward such measures as would be beneficial to the public interest. They would make attacks on the Government in whatever way appeared to them most likely to be useful to the country; but they would make none of an objectionable nature. They never would, for the purpose of annoying Ministers, give one single vote which on consideration they might have reason to view as prejudicial to the interests of the country. That was the principle on which they would act. If from peculiar circumstances there was a coincidence of opinion amongst those who did not always agree on political subjects, that, he contended was not a coalition. But if there were a coalition—if such a thing were to take place—was it to be imputed to him in that dignified Assembly, that he would join it with any unworthy view, or that he would not support every measure that appeared to him really calculated to forward the public good? They might call that a coalition, if they pleased, but it was a coalition for the service of the country, and not for its disadvantage. He would say little on the subject of the present debate, because he could not go over the arguments adduced by noble Lords in support of the Amendment, without injuring them by the repetition. It appeared that his Majesty stated by his Message that he had taken into consideration the duration of the present Parliament, which would necessarily terminate in a few months, and he called on the legislature, prior to the dissolution of Parliament, for a temporary provision to meet the exigencies of the State, prior to the assembling of a new Parliament. No one could deny that his Majesty possessed the undoubted prerogative of dissolving Parliament; and, although it was not unprecedented, it certainly was an extraordinary step, for the Crown to apply to Parliament to know whether it concurred in the opinion and recommendation contained in the Message. The Crown applied to Parliament to make provision for the exigencies of the State, and also asked its concurrence in the proposed dissolution. He, for one, could not say that he did concur in it. Their Lordships all knew, that it had been stated more than once in the course of the night, that, on the demise of the Crown, the Parliament was dissolved, according to the ancient constitution of this country. As the King was the head of the constitution and of the Parliament,—the *caput*, *principium*, *et finis*,—when he was removed, the rule formerly was, that Parliament should cease to exist. But, by the

Acts of William and Mary, and of Queen Anne, a different principle was recognized, and Parliament was authorised, if it pleased the reigning Monarch, to sit for six months longer. There were, however, particular circumstances with respect to the situation of William and Anne—such as a disputed succession, which called for such a measure; but the general principle was at variance with the doctrine there promulgated. Their Lordships had formerly experienced some inconvenience from the dissolution of Parliament; for, on the demise of George 3rd, no man could say but that the dissolution of Parliament, so immediately after its formation, was attended with very great inconvenience. Then, if such inconvenience was felt, what was the necessity, he would ask, of an immediate dissolution now? It must be, he supposed, something in the existing state of Parliament. Then, he demanded, had all the necessary bills passed the two Houses of Parliament; were they only waiting for the Royal assent? No such thing; there was, on the contrary, a very considerable arrear. Ministers had, however, persuaded his Majesty—and they would be responsible for this measure—that the present was the proper time for the dissolution. He knew not whether they had offered reasons to his Majesty on this point, but most certainly they had offered none to him. But it might arise from this feeling, that as the first business of Parliament, in a new reign, was to settle the civil list, Ministers did not wish to apply to a Parliament on its death-bed, as members were about to go before their constituents. There might be danger. Ministers perhaps thought, that Members of Parliament would endeavour to get a character for patriotism under such circumstances, by recommending not merely economy, but absolute parsimony. If that were so, he would say that it was a libel on the representatives of the people, and on the people themselves; for he believed that, if there was one thing which, more than another, excited strongly the feelings of the people, it was a desire to sustain the splendor and dignity of the Crown; and that object, the people knew, was best effected, by granting a civil list adequate to the due support and maintenance of the greatness and independence of the Throne. There was something more connected with the civil list than the mere Privy Purse, and the personal establishment of the King. The great wish of the people in general, he repeated, was to have the splendor of the Crown properly maintained. The most ignorant of them knew, that that splendor was not kept up for the gratification of the Monarch, but for the benefit of his people. But, he demanded, could it for a moment be supposed that those Members of Parliament who were ultimately to decide on the civil list, would, when called on by their constituents, declare that they would carefully investigate all the accounts connected with the public expenditure? Could it for a moment be supposed, that when they were returned to serve in Parliament, they would forfeit that pledge, and comply with whatever proposition Ministers pleased to lay before them? He believed that a question would never be put to them on that point: and, as to forfeiting confidence by making a proper provision for the Crown, that, he believed, would never be the case. But there were other questions that would be asked of them. They would be asked, "Have you done away with the expenditure of the public money, as far as you possibly could? Have you opposed those various and discordant plans which Ministers have at different times proposed? Have you opposed his Majesty's Government, when, as Dr. Parr has said, 'their mind was oscillating between two absurdities?'—when they were frightened at their own opinions, even before they were argued against? Did you oppose them when they introduced a new scheme of finance, diametrically opposite to that which previously emanated from the same quarter? When you looked into the public accounts, and investigated the public expenditure, for the purpose of reducing it, did you take care to see that the reduction fell on the right persons? Did you examine and satisfy yourself that those who were made the objects of reform, were the individuals who ought really to be exposed to its operation? Did you protest against its affecting poor and unfortunate persons, while it left the wealthy and the affluent in the enjoyment of that which they ought never to have possessed, thus benefitting individuals who were not more meritorious, but who were more fortunate, than the persons whom this reform prostrated?" These were some of the questions which constituents would call on their Representatives to answer. And he should, certainly, if he were a constituent, ask what the conduct of his Representative was with respect to the great measure that was passed last year. He would ask, "Did you consent to that measure? Did you agree that the Roman Catholic should be relieved? Did you, though with great regret, persist in the same opinion, that, holding, in due deference, the British Constitution, they should continue to be excluded? Or were you the advocate of expediency, and did you make that the rule of your conduct? And, finally, are you now attempting to make me believe that the measure of Catholic relief succeeded on the ground of just and creditable policy, or was carried by a dereliction of principle and the most unblushing apostacy?" Situated as Parliament now was, how could the business of the country be accomplished? The bills for the remission of taxes, to which the noble Earl had alluded, were only in progress—what was to be done with respect to them? Another question he would ask was this—Why did those who supported Ministers deny the existence of general distress, at the same time that they constantly persisted in refusing inquiry, which, if there was no distress, would place the matter beyond doubt? There were several bills of very great importance now in progress, which ought to be disposed of. Ministers however said, "Never mind those measures; only give us some authority to raise money, some undefined provision—(he knew not what) and we will proceed." Now a supply of this kind, if not always synonymous with confidence, always implied confidence; and undoubtedly, that confidence he did not place in his Majesty's Ministers. With respect to the necessity of making some temporary provision for a misfortune which had been alluded to, and which might occur, he should only say that he never would state his determination on that point, until he had given the subject full consideration. The present Amendment called on their Lordships to take this debate on another evening, for the purpose of giving his Majesty's Ministers and their Lordships an opportunity for the reconsideration of an opinion that might have been hastily formed; and he should be very glad to hear from any one of their Lordships a single sound argument against the proposition of the noble Earl.

Lord *Wharncliffe* said, this was a subject which called for serious attention. It was a great constitutional question, and came to this, whether this country should be left, for the space of some months, with the probability of having no government at all? He thought, if they could, that they ought so to word their Address, as to have an opportunity for a more mature consideration of this subject; and, therefore he, for one, would vote for the adjournment. He wished, however, to be understood as protesting against being included amongst those who were described by a noble Lord as gladly seizing any opportunity to vote against his Majesty's Ministers. In the whole course of his political life—and it was not a very short one—he had been guided in giving his vote by principle alone.

The Duke of *Buckingham* regretted that so many appeals had been made on both sides of the House to the Catholic Question. He could not see how any advantage could arise from the allusions to that measure, and he thought it would be much better to refrain from them. He admitted, that in any view in which it could be considered, the situation in which their Lordships were placed presented considerable difficulties; but the question was, on which side the difficulties preponderated? It ought to be remembered that the Crown could of its own authority dissolve the Parliament whenever it thought proper. There were difficulties attendant on the actual state of the public business; and they arose partly from the manner in which the other House of Parliament chose to conduct its business, and partly from other causes. But the Crown having declared that it intended to exercise its undoubted prerogative to dissolve the Parliament, the question was, how they could enable it to do so with the least possible inconvenience? It had been observed by a noble Earl, that the convenience of the Members of the House of Commons, who might wish to take journeys and make arrangements with regard to the approaching elections, ought not for a moment to be put in competition with the vast consequence of the continuation of Parliament for some time longer. But whether their Lordships chose to consult their convenience or not, and whatever might be the importance of making provisions with respect to a Regency, it would be impossible for them to prevent the feelings of an early dissolution and the approach of a general election from prevailing strongly all over the country; and ought their Lordships to proceed with the consideration of the question of the Regency during such a state of general effervescence? His opinion was, that the better course would be to agree to the proposition of the noble Duke; and on these practical grounds he should vote for it.

The Duke of *Wellington* requested the indulgence of their Lordships while he said a few words, and they would be but few, in reply to some of the remarks which had been made. Something had been said about the loss of influence which he had sustained in consequence of the measure of last year, which had been so often mentioned. He did not mean at present to say a word on that measure except this, that however sorry he might be to lose the support of the noble Earl (Mansfield) on the opposite bench, and of other noble Lords who concurred in that noble Earl's views, if the thing were still to be done he would take exactly the same steps as he had taken last year. The question now before their Lordships was to be considered with reference to the actual situation of Parliament. This was not a state of things in which there was a balance of inconveniences, nor had it been so represented by the noble and learned Lord on the Woolsack. It was a balance between positive and great inconvenience on one hand and a remote risk on the other; and the best and the easiest mode of getting out of that risk was by means of the dissolution. Their Lordships were very much mistaken if they thought that the matter of the Regency could be settled merely by a short bill. It was a subject of very great difficulty, and one which it was impossible to settle properly in the present Parliament. The Ministers had not adverted in the way of objection to the conduct of the House of Commons. But the pressure of business was so great, and so much still remained to be done, that it was hardly possible, in the course of the present Session, to get through that business in addition to the important measures which had been so much insisted upon in the course of this discussion. A noble Earl on the other side had said, that the Ministers, by the proposition which they had this night submitted to their Lordships, wished to throw on Parliament the responsibility of the dissolution. That, however, was not the case, nor was it ever so intended. The Ministers had merely brought down a message from his Majesty, who stated, that he saw the inconvenience of the present Parliament's sitting much longer, and he requested their Lordships to adopt such measures for carrying on the public service as would enable him to dissolve the Parliament as soon as possible. The noble and learned Lord on the Woolsack [*Looking at Lord Eldon, who took off his hat*],—he meant his noble and learned friend on the Cross Bench—whom he had been so long accustomed to see with so much satisfaction on the Woolsack, had observed, that the Ministers by this measure of dissolution proposed to dispense with the advantage of the Act of William and Anne, as if they had disapproved of that Statute. That, however, was very far from being the case. On the contrary, it was that Act which enabled them to recommend these measures to Parliament; for had it not been for the statute in question, the measures would, of course, have all been lost along with the Parliament. He regretted that he could not concur with the noble Earl in the delay which he had proposed. He did not mean in the least to impute to the noble Earl any other motive in making the proposition than that which he himself avowed; but he could see no use in the delay, and therefore thought it best that they should come to a decision on the question that night.

Earl *Grey* said, that, although he did not wish to trespass upon their Lordships further than could be avoided, yet there were one or two points on which he hoped for their indulgence. The noble Marquis (Bute) on the other side of the House, had much misunderstood him—if he conceived him to have done what he called granting the whole question—that is, that, except so far as regarded the question of Regency, there was no other point which he considered of much importance. The noble Marquis had stated that, with respect to the Civil List, and the measures under discussion in Parliament, he (Earl Grey) was willing to waive these, if the other were conceded. What he (Earl Grey) had stated was, that he considered the last—the question regarding the Regency—of such paramount importance, that that House could not separate without doing something in reference to it, otherwise they would be guilty of a great dereliction of duty. They were told that the object which he had in view would be facilitated by enabling his Majesty to dissolve the Parliament. What was the object of his proposition? It appeared that there was a possibility of an event—God forbid that that event should soon occur!—but there was a possibility of an event occurring, which might involve the country in great difficulties; and against these he wished the necessary precautions to be taken. The noble and learned Lord on the Woolsack had taxed him with indulging gloomy anticipations. He had expressed no gloomy anticipations. On the contrary, he had said, that the constitution, the health, the vigour, and the temperate habits, of his present Majesty, gave him hopes of a long reign. He therefore indulged in no gloomy anticipations, but knowing the uncertainty of all human things, it appeared that such an event was possible, and as it would be attended with much danger and inconvenience to the country, he proposed a motion to their Lordships, with a view that the present state of affairs should be amply considered, and means devised, if possible, to prevent the occurrence of difficulty and inconvenience to the country. He thought that the danger which might arise in such a case, if not provided against, very far counterbalanced any inconvenience which could possibly arise from protracting the Session of Parliament for a few weeks longer. He would beg to explain to the noble Marquis, that he had said this point was of paramount importance, although there were other matters deserving of mature consideration; and that it appeared to him that there was no sufficient cause for the dissolution of Parliament at an early period, or for incurring the total destruction of all those measures which must fall to the ground if that dissolution took place. Amongst these were the measures for the Supply of the year, and the various Acts which had been introduced with a view to carry into effect the gracious intention of his late Majesty, to promote the interests of the people. To lay all these matters aside, after so much time had been lost upon them, would be attended with so much inconvenience, that he could not contemplate it without endeavouring to prevent a course which would be productive of much evil. He did not abandon the other grounds of his motion, but he put forward the inconvenience which would arise, upon the demise of the Crown, as the strongest ground of his proposition. Now, with regard to the object of that proposition, its object was what it professed to be. A noble Earl opposite implied that it was intended to catch votes, and was the result of an unnatural coalition. What there had ever been in his conduct which justified such an imputation he was at a loss to conceive, but he would sincerely tell the noble Earl that he had *bona fide* applied for an adjournment in order to the further consideration of the question; with a view, if it were carried, of inducing Ministers to advise his Majesty to send a recommendation which would provide against the possible difficulty to which he adverted. But if such a recommendation should not come to them, he should then consider it the duty of that House, in the most respectful terms, at all events, to suggest their own readiness—in case his Majesty should see it necessary to issue such a recommendation—to give effect to it. His Motion for an adjournment had originated from a consultation with one or two of those friends with whom he had always been in the habit of acting. As to an unnatural coalition, it was, perhaps, unnecessary for him to add any thing to what had been already said by a noble Earl on the same bench. He knew of no coalition: there was no coalition. He had differed from many noble Lords who had to-night expressed their intention of supporting this motion, and, without having entered into any coalition, he would not hesitate to say that, if he had the good fortune to introduce a motion supported and approved by those noble Lords, on the principle on which they founded their support of it, he should feel highly honoured by such approbation and support. A noble Baron opposite had thought proper to make something like a personal attack upon him. The noble Baron regretted that he should have expressed a decided opinion that the present Administration was incapable of conducting with advantage the public affairs of the country, which the noble Baron considered as in some measure a contradiction of his former opinion—he having expressed confidence in the present Ministers, and acknowledged a debt of gratitude as due to them. These motives the noble Baron thought ought to have induced him to abstain from expressing the opinion to which he had just referred.

He remembered very well the measure of last year, in which he had given the noble Duke his sincere and cordial, political and personal support. He claimed no gratitude for that. He had supported the noble Duke, upon public principles, in a measure which he felt would be beneficial to the country, and he had expressed this personally to the noble Duke, in order to guard him against any supposition that his support was influenced by any but public motives. He was not modest enough not to think that his support was of some advantage to the noble Duke. But, as to general confidence, he would ask when had the noble Baron ever heard him express that sentiment? He entertained a strong disposition of good-will towards the noble Duke; but if anything that fell from so humble a person as he was were of any consequence, it must be in the recollection of some Members of that House, that he had stated that he remained on that side of the House, where he had sat for many years without any disposition to oppose the noble Duke, but, at the same time, without the confidence which some professed in an Aministration so constructed as the present. The noble Lord regretted that he had declared that the present Government was incapable of managing the business of the country; for his part he regretted the necessity of making that declaration; but looking at all that had occurred since the last year—to which he had looked with anxious attention, it did not appear to him that the measures of the present Government were of a character by which the honour, the consequence, or the power, of the country would be forwarded. Looking also at the progress which had been made in the public business, looking at the state of the measures which had been submitted to Parliament, brought forward, first in one shape, then withdrawn, then explained and altered, and finally appearing more objectionable than at first, and remaining in such a state of confusion, that no member of the community who was to be affected by them, whether connected with the agricultural, the mercantile, the commercial, or the manufacturing interests, could understand their object or effect—looking at these things—not meaning to say any thing personally offensive to the noble Duke, for whom he had the highest regard, he merely stated a sentiment which was forced upon him by a close observation of all that had passed, and which he really believed, whatever noble Lords on the other side of the House might say, was common to four-fifths of the country.—The noble Lord opposite had, in answer to a noble Duke on the cross-bench, disclaimed any intention of a personal offence to him. He was willing to take the noble Lord's disclaimer. But when the noble Lord talked of expectations to be gratified by this measure—when he congratulated himself and his brother Ministers upon having an open enemy rather than a concealed foe, he (Earl Grey) certainly felt the imputation as one from which he should have thought that the knowledge which the noble Baron had of him would have preserved him. He was not a man to profess one notion and to act upon another. He might be rash; he might express too vehemently what he felt; but that he concealed opinions which he did not dare to avow or act upon, was a charge which, he thought, could never be imputed to him by his worst enemy. He regretted that the noble Duke had found himself under the necessity of proposing this Motion. If it should be carried, he should feel it his duty to move such an amendment, as time would enable him to prepare.

Lord *Ellenborough* said, as he had already stated that he considered the noble Earl to be the last man to be actuated by any improper motives, he did not feel it necessary to add any thing to that declaration. He was sorry that the idea had lasted so long on the noble Earl's mind that he meant any thing personally offensive to him. If the noble Earl would throw back his thoughts for some years, he believed he would recollect that he (Lord Ellenborough) had given as great a proof of confidence in him as any public man could; and nothing had occurred in the noble Earl's conduct to change his opinion, but every thing that he had since witnessed had added to his respect. He, on the part of his colleagues, desired it to be understood that they claimed not for themselves any extraordinary gratitude or praise, for the introduction of the measures they had proposed for the purpose of meeting the public emergencies. In the introduction of those measures they had merely consulted the public interests, and performed their duty as public servants. Being on his legs, he would state, for the satisfaction of those interested, that it was not the intention of his Majesty's Government to advise his Majesty to dissolve Parliament so speedily as would render it likely the public would be deprived of the relief which the measures now before Parliament promised.

Their Lordships divided on the Amendment: Contents 56; Not-contents 100—Majority against the Amendment 44.

List of the Minority.

Dukes.
Norfolk
Richmond
Devonshire
Newcastle
Argyll

Marquesses.
Wellesley
Sligo
Clanricarde
Lansdown
Londonderry

Earls.
Grey
Radnor
Stanhope
Carnarvon
Eldon
Harrowby
Winchilsea
Mansfield
Cawdor
Ferrers
Carlisle
Spencer
Essex
Romney
Grosvenor
Fitzwilliam
Albemarle
Morley
Charlemont
Manvers
Beauchamp
Cowper
Kinnoul

Viscounts.
Melbourne
Goderich
Granville
Maynard
Downe

Barons.
Holland
Durham
Foley
Lilford
Redesdale
Selsey
Dacre
Seaford
Belhaven
Say and Sele
Dundas
Auckland
Rivers
Northwick
Calthorpe
De Clifford
Wharncliffe

The question was afterwards put on the original Motion, when

Earl *Grey* moved to substitute the following Address for that proposed by the Duke of Wellington: "That an humble Address be presented to his Majesty, to state to his Majesty that we acknowledge with every sentiment of gratitude, the communication which his Majesty has been most graciously pleased to make to this House, that we acknowledge as a most gratifying proof of his Majesty's consideration of the public convenience his Majesty's most gracious declaration that considering the advanced period of the Session, and the state of public business, his Majesty feels unwilling to recommend to the attention of Parliament, any new matter which may admit of postponement without detriment to the public service;—but we feel ourselves at the same time called upon, humbly and respectfully to assure his Majesty, that if, adverting to the present circumstances of the Government, he should find it expedient to propose to Parliament any provision for securing the country against possible inconveniences and dangers of the most serious nature, to which it might otherwise be exposed; we shall be ready and anxious to take into our immediate consideration with a view to carrying them into effect, in such manner as may be most conducive to the public safety, any measures which his Majesty may be graciously pleased to recommend for that purpose—that we shall be at all times ready with the devotion which we feel to his Majesty's person and Government to concur in affording to his Majesty the means that may be necessary for providing for the exigencies of the public service and for facilitating the exercise of his Majesty's royal prerogative of dissolving the Parliament whenever it may appear to his Majesty to be required for the benefit of his people, and we humbly hope that the furtherance of his Majesty's paternal wishes in this respect may be most conveniently and effectually promoted by our proceeding with all due diligence and expedition to the completion of the measures which are now in progress in consequence of his late Majesty's most gracious recommendation from the Throne at the commencement of the Session, and which are necessary for the public service."

The Amendment was negatived without a division.

The original Address was then agreed to.

Public Business.] Earl *Cawdor* rose to ask the noble Duke at the head of his Majesty's Government whether, as it had been stated by the noble Baron to-night, the public were not to be disappointed in their expectations of relief from the unequal pressure of some of the taxes, the Government intended to persevere in the measures for reforming the law which had been recommended, at an early period of the Session, from the Throne itself? If the Ministry had not firmness enough to persevere in pressing those measures, he must infer that it was a proof that they did not possess the confidence of the House and the country.

The Duke of *Wellington* said, it was the intention of Government, in the first place, to press the bill for the repeal of the Beer-duties. Of the bills for the improvement of the law, the Scotch Judicature Bill was in a forward state, and would most probably pass. There were others in a forward state, which might also pass. There was a probability that the Act to which the noble Lord alluded, and about which he felt so solicitous, would pass this Session; whilst the other measures relative to the administration of Justice in the Courts of Equity, on which some difference of opinion prevailed in quarters for which he entertained considerable respect, would perhaps be postponed until next Session.

Lord *Holland.*—I beg to ask of the noble Duke, is it the intention of his Majesty's Government to propose, as usual, an Appropriation Act?

The Duke of *Wellington*—It is.

HOUSE OF COMMONS.

Wednesday, June 30.

MINUTES.] Returns ordered. On the Motion of Mr. POULETT THOMSON, the Salaries of all Functionaries in the Post-Office, &c.:—On the Motion of Mr. O'CONNELL, the Address presented by the House of Assembly, Lower Canada, relative to certain Lands claimed by the Catholic Seminary at Montreal in Lower Canada.

Petitions presented. Against the Stamp and Spirit Duties (Ireland), by Mr. KAVANAGH, from Ballraggett:—By Mr. CAREW, from Land-owners of Wexford:—By Mr. O'CONNELL, from Ballylaneen and Stradbally. For Abolishing Imprisonment for Debt, by the same hon. Member, from the Prisoners in the Marshalsea, Dublin. For the Abolition of certain Tolls in Drogheda, by Mr. O'CONNELL, from Wm. Cavanagh. Against Stamps on Medicines, by Mr. HART DAVIS, from the Druggists of Bristol:—By Sir J. D. ACLAND, from the Druggists of Stonehouse. For the Repeal of the Duties on Sea-borne Coals, from Great Yarmouth, by the same hon. Member, from Southmolton. For a better arrangement of the Twopenny Post, by Mr. HUME, from the Inhabitants of Paddington. For inquiry into the conduct of the Ecclesiastical Court, (Chester), by Mr. WILBRAHAM, from Wm. Brooks. In favour of the Northern Roads Bill, by Mr. HUME, from Brechin.

MR. O'CONNELL'S LETTER.] Mr. *L. O'Brien* wished to inquire of the hon. member for Clare whether a letter which had appeared in the Irish newspapers, bearing his signature, and commenting in the grossest terms, on the conduct of certain Members of that House, had really emanated from him? [*Order.*]

The Speaker inquired whether the hon. Member (Mr O'Brien) was about to move a breach of privilege?

Mr. O'Brien replied in the negative.

The *Speaker*—Then the hon. Gentleman must give notice of motion. If the hon. Member intends to complain of any breach of privilege, by misrepresentation in the debates, or otherwise, as regarded the proceedings of that House, and published in a newspaper, the paper containing the offensive article must be produced, and then the House could order the editor or proprietor of the newspaper so offending against the rules of that House to attend at the bar.

Sir *Joseph Yorke* said, that he understood the hon. member for Clare (Mr. O'Brien) merely intended to draw the attention of the House to certain offensive passages in a letter written by the other hon. member for the same county (Mr. O'Connell) in which the characters of some hon. Members had been traduced. The hon. Member was about to submit, he believed, a question whether the attack on the Members he had referred to was not a breach of privilege.

The *Speaker* said, such a proceeding would lead to a debate, and there was no question before the House. The hon. Member could give notice of Motion on the subject if he thought proper.

DISTRESS IN IRELAND.] Mr. *O'Connell* presented a Petition from a parish in the county of Galway, relative to Grand Jury assessments in Ireland. He would take that opportunity of calling the attention of the House to the state of starvation existing at the present moment in various parts of Ireland. He had received a letter from a Roman Catholic Priest of the county of Clare, in which he described the wretched state of the people in that part of the country. [The hon. Member proceeded to read extracts from the letter, in which it was stated that the miserable inhabitants were obliged to subsist on the nettles growing in the church-yards, and had asked permission to gather the weeds from off the graves.] Notwithstanding this appalling state, the inhabitants had manifested the greatest forbearance, and had committed no act of depredation.

Mr. *L. O'Brien* expressed his surprise, when the distress in Ireland was so great, that the hon. member for Clare should have chosen that very moment for promulgating his tenets on the currency. Advising the people to exchange their paper for gold could not but add very materially to the present state of distress, and produce alarm and ruin throughout the whole country, which, in fact, appeared to be the primary object of the hon. Member, and nothing but the good sense of the people had prevented that result. If ever the wisdom and influence of a patriot ought to be exercised for the relief of a country, it was at the present moment; but the hon. Member had used his influence to add to the miseries of the people, and appeared to sport in the ruinous consequence he had produced. No artifice had been left unused—no stratagem left untried by the hon. Member, which he thought could create confusion and disturbance in that country. [The hon. Member was proceeding to comment on the conduct of Mr. O'Connell, when he was stopped by loud calls of "Question."] He then observed that he would not proceed further, but he felt bound to make these remarks in consequence of seeing his name, in conjunction with that of another hon. Member, held up to the scorn and contempt of the country; he must condemn the system of one Member traducing the character of another, and the infamous species of calumnious intimidation practised with respect to him, to which the hon. Member owed his great influence over the lower order of the Irish people.

Petition laid on the Table.

THE ADDRESS IN ANSWER TO THE KING'S MESSAGE.] Sir Robert Peel moved the Order of the Day for taking into further consideration his Majesty's most gracious Message.

The Order having been read,

Sir *Robert Peel* spoke as follows:—Sir, I now rise for the purpose of calling the attention of the House to that part of the most gracious Message of his Majesty which expresses a hope that this House will make temporary provision for the conduct of the public service in the interval which must elapse between the termination of the present Session and the assembling of a new Parliament. But I cannot proceed to the performance of that duty without expressing, so far as an individual can presume to express, my deep sense of the considerate and respectful forbearance with which the House was pleased yesterday to limit its proceedings to that part of the Address which related to condolence and congratulation, and unanimously to refuse to enter upon the consideration of anything which could provoke angry debate, or lead to the expression of a difference of opinion. Sir, upon the recent demise of the Crown, there necessarily devolved upon the Ministers a duty of giving advice to his Majesty as to the course which it was fitting for him to pursue for the despatch of public business. The House is, no doubt, aware that, by an ancient law of this country, the demise of the Crown necessarily terminated the existence of Parliament. The reason assigned for that by Blackstone is, that the King, being the head and soul of Parliament—its "*caput*, *principium*, *et finis*"—the demise of the Crown put an end to the proceedings and existence of Parliament, and it was not till the reign of King William that any alteration was made in the law in that respect. By an Act of that Sovereign (the 7th and 8th William and Mary), it was provided, that the demise of the Crown, during the existence of Parliament, should not necessarily terminate its existence, but that it might continue to sit, unless expressly prorogued or dissolved, for six months after such demise. The preamble to that Act sufficiently sets out the causes of it; stating, amongst other things, "the dangers likely to accrue upon the demise of the Crown from the invasion of foreign enemies, or the conspiracies of evil and wickedly-disposed persons at home." And the alteration in that law, no doubt, had relation to the peculiar circumstances of those times, and the danger which then existed of a disputed succession to the Throne of this country. It has been said that this was a temporary Act; but, from all that I can understand of the matter, I am disposed to believe it was intended to be a permanent measure; and the more firmly, because I find it repeated, almost in the same terms, and re-enacted by the subsequent Statutes of Queen Anne. But, Sir, whatever may have been the circumstances of that precedent, and whether the provident precaution then taken, of allowing the Parliament, notwithstanding the demise of the Crown, to continue to sit, provided the circumstances of the country required its uninterrupted deliberations, was or was not expedient, is not now the question: the question now is, whether or no, in the present state of public business, and referring to the proceedings incident to the demise of the Crown, and the accession of a new Sovereign, it is more advisable to dissolve the present Parliament, or to continue to sit for the consideration and despatch of such public business as is now unfinished? This is the question, and, Sir, after the most mature consideration of it in all its bearings, the Ministers, whose duty it is to advise the Crown, have come to a conclusion that they best discharge that duty by recommending the course pointed out by this Message. The question, then, which I have now to put to the House is this—will it accede to the suggestion made by the Crown, of making provision corresponding with the present state of affairs? This is a question which I propose for its immediate consideration. Sir, I think there can be no question that, though circumstances may seem to prove that it is necessary, nay almost advisable, that Parliament should continue its deliberations, yet, upon the whole, much inconvenience must arise from its continued sittings, particularly when it is recollected that the period of its natural dissolution—namely, six months—is not very far distant. I would also put it to Gentlemen whether the giving a longer time to canvass for elections would not be attended with the greatest inconvenience, and very great expense—for we all know that these long preparations produce no good; they do not facilitate, on the contrary they impede, the free and unbiassed expression of opinion by the electors; and the appeals thus made, and of necessity often repeated, within a large space of time, must have, not a beneficial, but a mischievous and corrupting influence. I hold it too, Sir, that it would expose Members of the existing Parliament, who are obliged to attend to their duties here, to an unfair disadvantage, as compared with their opponents—candidates for public favour, who, having no business to distract them, will be enabled to apply the whole of their attention to the subject, and to seek means of support which those others have not. These considerations, and the advantage of being personally on the spot canvassing their constituents, must either work injuriously towards the sitting Members, if they attend their duties in Parliament, or they will affect most mischievously the public business, should Gentlemen be selfish enough to yield to them, and absent themselves. And hence it is, that in former periods, when Parliament continued to sit under circumstances like the present, there was a constant complaint of the insufficiency of the attendance of Members, and there are frequent entries in the Journals of those days, of orders made upon Members themselves, urging their return to town, or upon Sheriffs and returning officers, calling upon them to return them. Upon all these grounds, I think it cannot be denied, that unless there be some special circumstances which require the immediate intervention of Parliament, it will be, upon the whole, most conducive to the convenience of Gentlemen themselves, most beneficial to the public, and most fair and impartial towards the parties contending for the voices of their constituents, to acknowledge, at the very earliest period we can, consistent with the public business, that the prerogative of the Crown ought to be exercised upon this occasion, and that a new Parliament ought to be called. I am aware that, since Queen Anne's reign, instances have occurred of a different course pursued in the reigns of the Monarchs who immediately succeeded her. I am aware that it has been usual to send a Message to this House, proposing, without delay, the arrangement of the Civil List, and that such arrangements were, in fact, made before any prorogation or dissolution took place. But let it be borne in mind that the constitution of the Civil List was different then from what it now is; that the Sovereign was then in possession of the hereditary revenues of the Crown, and that the sum to be voted by Parliament was exactly the difference between the actual amount of the Civil List, and the sum of the charges upon it. It is also true, that the time devoted to the discussion of this subject, up to the accession of George 3rd was not of such a length as, in modern times, so great and important a measure would be thought to require. The bill, for instance, which settled the Civil List upon George 1st was passed through both Houses with an expedition little known now-a-days. Queen Anne died on the 1st of August, 1714, and the bill for settling the Civil List upon her successor was brought into the House on the 12th of August; it was passed through all its stages with great rapidity and little comment; upon the 17th it was taken up to the Lords, returned again upon the 19th, and Parliament was prorogued on the 25th of the same month of August. The periods, therefore, in which Parliament proceeded to regulate the Civil List, upon the demise of the Crown, before the Parliament was dissolved, cannot, I conceive, be referred to as authorities for our guidance now. It is, I am persuaded, the concurrent and unanimous feeling of the country that, in making a settlement of the Civil List upon the present King, under circumstances differing so entirely from those of the late reign, it is desirable that the Ministers, upon whom the responsibility of advising the measure rests, should have the fullest opportunity of maturely considering it in all its points; and that the Members of this House, who are to sanction such arrangements, should also have the fullest opportunities of weighing and deliberating upon them. Sir, it is to be considered that we have to arrange and settle the Civil Lists of three different parts of the empire, or, rather, the three Civil Lists of England, Scotland, and Ireland. A committee which sat upon this subject in 1815—fifteen years ago—gave some general recommendations with respect to the appropriation of the Civil List to the Prince, then unrestricted Regent, which were closely followed when his Royal Highness succeeded to the Throne; but, at the same time, it is impossible not to admit that there are several circumstances connected with the subject which would admit of additional improvement. I would mention, for instance, several of the public Officers of State, who receive their salaries partly from the Civil List and partly from the Consolidated Fund. The Judges are so paid; so are some of the officers of the Treasury, the expense and charge being defrayed from both sources. Indeed I cannot put the case more strongly than in the instance of my right hon. friend, the Chancellor of the Exchequer. At this moment the Chancellor of the Exchequer receives his official emoluments from five different sources, partly from the Civil List, part from the Consolidated Fund of this country, part from the Consolidated Fund of Ireland, part from other funds arising out of the commutation of fees, and partly from other transactions in his office. It is desirable that this condition of the Civil List should be amended, and all charges upon it consolidated. But, adverting to the period which must elapse before Government can prepare any well-digested plan for arranging the Civil List—adverting to the time which Parliament must, of necessity, take in considering that plan—I do not think that the former precedent— a precedent, too, taken from the earliest period, immediately, after the death of Queen Anne, by whom the bill was passed—ought to be binding on us; and thinking, therefore that there will be more advantage in postponing the Civil List to a future occasion, than in pressing it on now, and keeping Parliament sitting for several weeks, with all the inconveniences of haste in the measure, and expense to the Members, we propose to follow the later precedent of 1820, as the safest course. Sir, it is not that Ministers have any doubt that the present Parliament would make a just provision for his Majesty, for, while Members are naturally and justly desirous of curtailing the public expenses, yet they would not be deterred by the fear of meeting their constituents, from making a just and liberal provision for the Crown. We know they would consider that the interests of the State were blended with the ease and splendor of the Monarch, and they would find it a pleasure, as well as feel it a duty to the country, to make such a provision,—not regardless of economy—but ample, as would maintain the dignity of the Throne. It is not, therefore, from any distrust in the present Parliament, that we do not now lay before it the arrangements of the Civil List for the new reign, but solely upon the ground that there is not time enough for the adequate consideration of these matters, consistently with their importance, and the claims of other business. I have, Sir, already said that we have decided upon following the precedent of 1820, but there were many circumstances in that case which do not apply to the present. In 1820 his late Majesty ascended the Throne, after having been unrestricted Regent for a number of years, and there was, therefore, no change in the person of the Sovereign. In 1820 the Parliament, which had been elected under the Regency of the Prince, afterwards George 4th, had already sat one year and six months, and the demise of the Crown took place the last day of January, at the very period when, under ordinary circumstances, we should be beginning the Parliamentary Session. But the demise of the Crown has now taken place under very different circumstances. The present Parliament has sat, not a year and six months, but four years. There is also a complete change in the person of his Majesty, who was never till now called, like the late King, to exercise any of the prerogatives of the Crown. The demise of the Crown has not taken place at the commencement, but at the end, of the Session, and after five months of, I won't say successful, but certainly unremitting and severe labours. It has occurred, too, at a period when some interval between, the past and future labours is so desirable, not so much for the personal convenience of Members as for the better despatch of public business. Keeping therefore the precedent of 1820 before us, we propose to imitate it, so far as the different circumstances of the two periods will allow; and it will be at once perceived that in the present case, there are more reasons for an immediate dissolution than in 1820. There can be no doubt but that it is competent to the House to sit and transact business, and, if there were any necessity for its continuing to sit, I am sure no feeling of personal inconvenience would induce us to rise, or to forego the consideration of the matters necessary to the public interests. Sir, I will not say, even for the purposes of debate, that this question is free from all difficulty, or that it is one to which we may at once come to a conclusion, without regarding any previous difficulties. The hon. and learned Gentleman opposite (Mr. Brougham), and some other Members, made some remarks upon omissions in the Message from his Majesty. Sir, it would be affectation in me to pretend ignorance of the meaning of these remarks, or not to know that the omissions alluded to must refer to one of two things: first, either to the Civil List; or, secondly, to some arrangements for a Regency. Sir, this latter is a subject of great delicacy and importance; but still it is better to treat it with frankness, that we may, if possible, remove wrong impressions. I admit that it is a question quite open to consideration, and various opinions have been formed upon it; but I can say that, after the most serious consideration of the matter, and after weighing maturely the great importance of the subject, the Ministers are of opinion that, upon the whole, we shall best consult the public interests by recommending a postponement of the consideration of that question for the present. We have, it is true, at this moment an heir-presumptive to the Throne, who is an infant of tender years; and the question is, whether Parliament will go on to provide for an event—possible, no doubt, but which God avert!—namely, the demise of the Crown—to provide for the administration of the Royal prerogative in the interval between such demise and the period when the next heir shall come of mature age, whoever that person may be? I cannot imagine any thing more deeply affecting the interests of this country, or which requires more mature and dispassionate consideration, than the provision for such a case. It is a case of the very last importance and consequence. There have been, indeed, in our history, instances of Regencies before; but, I apprehend, none exactly resembling this. In each of the years 1751 and 1765 there was an heir-apparent to the throne, of tender years, and Parliament made provision for the possible demise of the Crown. But yet the subject was so far involved in difficulties, and the circumstances, however near to each other in point of time, were considered so dissimilar in character, that Parliament thought it necessary to make a great difference in the arrangements. By the Act of 1751, Parliament appointed the Princess Dowager of Wales guardian of the infant Prince her son, and Regent of the kingdom, in the event of a demise of the Crown. In 1795 Parliament empowered George 3rd to name the person who should be the guardian of his son, and Regent of the kingdom, restricting his choice to certain individuals. I only refer to these precedents, however, to show, not that they ought to be followed, but that, from the difficulties which presented themselves in the progress of them, they proved that the subject was deserving of the most serious consideration. It will be admitted at once, that to make a permanent provision now, in order to guard against all possible events, and against all contingencies which might happen to the heir-apparent, to make, I say, any permanent provision against a possible state of things, and which would accommodate itself to all possible circumstances, would require the most serious and grave consideration. But then I am asked, "Is there no risk in leaving the case wholly unprovided for till the next meeting of Parliament?" To that I answer, that, at the early periods if our history, there are various instances of infant Sovereigns coming to the Throne of this kingdom, for whose protection no legislative measures had been previously taken. I could name Henry 3rd, Richard 2nd, and Henry 6th—all of them infant Sovereigns—none above eleven years of age—one not a year old; and yet Parliament made no provision for a Regency, but, after the accession of the Sovereign, appointed persons to govern the kingdom till the infant King had arrived at those years of maturity which the Act appointing the Regency had prescribed. Since the Revolution, in 1751 and 1765, different courses had been pursued; but in neither of these cases was there a provision immediately made for the event of a minority. In 1765 no steps were taken till three years after the birth of the heir-apparent. The late King was born in August 1762, but it was not till 1765, three years afterwards, that the precaution of appointing a Regency, in the event of a demise of the Crown, was taken. I cannot find that George 3rd ever acted upon the powers contained in that Act. Sir, this is a delicate subject, but I hope I treat it with the delicacy which becomes us all, though we feel the necessity of doing our duty. But, let me fairly ask, where is the risk of postponing this measure to the next Session? In the reign of George 3rd it was postponed for three years; and in the reign of George 2nd nearly ten weeks were suffered to elapse, after the death of Frederick, Prince of Wales, before any Act was passed for the Regency; of course, under the sanction of that precedent, there can be no necessity for making any provision for a Regency in the interval between the end of the present Session and the meeting of a new one. In case such an event should unfortunately happen, as the demise of the Crown, I apprehend that the infant Queen would have full power to give her assent to any Act of Parliament appointing a guardian for herself and a Regent of the kingdom, and that in a manner as binding as if it were signed by a Sovereign of full age. But, Sir, still it has been thought by those who admit the importance of giving full consideration to the permanent settlement of the Regency, that some temporary provision ought to be made, to give some one of mature age the power of consenting to an Act of Parliament for appointing a guardian for an infant Sovereign and Regent of the kingdom. Upon that head too, Sir, all I shall say is, that, after having given to it the best consideration which was in my power, I would press upon the House the impolicy of discussing any such plan. I will not now detail the circumstances which influence my opinion; but it must occur to every one, that any temporary arrangements, which would have the effect of fettering the future and final decision of this question, must be very inconvenient, and the appointment of an individual with such authority, for ever so short a time, and, above all, if the event to be guarded against should occur, would very much impede and embarrass any future arrangements as to the settlement of the Regency question. It must be always the paramount interest of the country to have the matter permanently settled. And having now, Sir, treated of the various views in which this very delicate matter has presented itself to his Majesty's Government, and having shown enough to explain the motives of that Government why it disapproves of any temporary provision for a Regent being now made, and why it advises the postponement of a permanent provision till the subject can be better discussed and more looked into, I don't know that I can offer any other considerations to the House to induce it to agree in the terms of this part of the Address. I shall, therefore, proceed to state what is the course of public business which his Majesty's Government proposes to recommend, should the House of Commons agree to the Address which I shall have the honour to submit. That Address will of course assure his Majesty, that the House will, without delay, make temporary provision for the public service in the interval which must elapse between the dissolution of this Parliament and the assembling of the next. Assuming those parts of it to be agreed to, then comes the question, what course is to be taken with respect to the public business? If it be determined that a dissolution is to take place, and the House is willing to perform its part as stated in the other branch of the Address, by making a temporary provision for the public service in the interval between the two Parliaments;—both these points being conceded, I think the House will be unanimous in agreeing that the sooner we despatch the public business, consistently with the public interests, and with the several measures of great public importance which are now in progress before the House, the better. Under circumstances like these, it is hard to lay down any rule which can guide us in the course we ought to take. With so many measures, and so many of them of such great importance, as we now have unfinished before us, it is hard to expect the concurrence of all parties to any course Ministers may suggest; but I do hope, that, under the peculiar situation of the Government, occasioned by the demise of the late Crown, Gentlemen will extend as much indulgence as they can, consistently with their public duty, to our proposals for the despatch of public business. One rule of our proceeding, in case we agree to go on, shall be to avoid every thing which is likely to provoke discussion, and to forego every measure which is likely to lead to much detailed illustration. After the expectations which were held out to the country by my right hon. friend at the beginning of the Session, and more particularly to the lower classes, of relief by the remission of the Beer duties, I think it will be the opinion of this House, and of all parties, that the measures which had for their object the carrying these views into effect, and the other measures connected with them, which have not been brought to a conclusion here, the public interests require that these should be passed immediately. Although the bill authorising the sale of Beer on the premises, and the other bill for remitting the duties upon Beer, have not kept pace in this House, the one being at the second, and the other at the third reading, yet I think the House will concur with me in the attempt to pass these bills together. There is also another bill, which is not much known, and has not received much consideration in this House, though it is absolutely necessary, as a foundation for every sort of legal reform—I mean the bill for disposing of vested interests in patent offices in Courts of Justice, in themselves the greatest obstruction to legal reforms: this ought, I think, to be passed also. For, Sir, though we never venture upon any change in the constitution of the Courts without taking into account the reasonable claims of persons entitled to compensation, yet these patent rights are great stumbling-blocks in the way of reform, and they must be removed before reform can be effected. I propose to take all these into the hands of the Crown, as a preparatory step to the equalization of the fees in the different Courts; for, so long as the fees in the Court of Exchequer are three times as much as in the King's Bench, one cannot wonder that the business flows unequally into the latter. The bill for abolishing these privileges stands for the third reading, and I propose that it be passed without delay. With respect to the Spirit Duties bill, which is before the House, the House will recollect that it was at an early stage of the Session proposed by my right hon. friend, as an indemnification to the Revenue for the losses which it would sustain by the remission of the Leather and Beer duties, to impose a duty of 6*d.* a gallon on British and Colonial spirits, and we think it our duty to press upon the House the propriety of carrying that plan into effect. But the passing of these measures will make it necessary to consider the condition of the whole of the West-India interest, to which we should wish to give all possible attention. [*Some Member suggested that this should be postponed till next Session.*] I wish Gentlemen to understand, that by the delay of four or five days we are already in a curious situation, and that no more time ought to be lost in settling the question, for the sugar-duties will expire on Monday next. I hope Parliament will not suffer them to expire before they have substituted some others in their room, for so large an amount of revenue cannot be given up, and, short as the interval is, I do hope that the House will concur with the Government in re-enacting those duties before the period when, according to law, they would cease. This is not a time for going into detail on the subject; but as they will expire on Monday, and as the late scheme of the Chancellor of the Exchequer has been severely contested in the House, and passed by no very large majority, it is impossible that we could call upon Parliament, without great deliberation, to adopt that scheme of duties. It is therefore, to be abandoned [*laughter*]. Sir, if there be any ridicule attaching itself to those acts of our public duty, I undoubtedly am here to bear my share of it; we advised the measures from a sense of public duty, and from the same feeling we now withdraw them. We have tried to confer some benefit upon the West-India interest, which has not been very graciously received by it; and since, in retaining the additional duty upon Rum, which is, after all, only equal to British Spirits, we seem called upon to realise the benefit which was promised to that distressed interest, we propose some reduction of the duties upon Sugar; and, because of the shortness of the time, it is proposed that the alterations be of the simplest kind. As the Resolutions are not now before us, this is not the time to discuss them in detail; and I shall confine myself to stating, that it is the opinion of practical men that the scheme might have been carried into effect. For my part I see none of the difficulties which some hon. Members have been pleased to point out. However, in order to get over these difficulties, and give relief to the West-India interest, we mean to make a reduction in the sugar duties, but that reduction shall be uniform and absolute. The reductions which we propose to make are a reduction of 3*s.* per cwt. upon West India sugars, and of 5*s.* per cwt. upon those of the East Indies. This is as great a boon as we can give to the West-Indies. The loss to the Revenue from these measures, supposing them to be passed into a law this Session, will be explained in the statement which I am about to make, one side of which shows the amount contributed to the Revenue by the additional duties, and the other the loss sustained by the remission of duties. The Revenue then will suffer—

On account of the remission of the Beer Duties, a loss of	£3,000,000
The duties on Leather	300,000
Remission of the Sugar duties	450,000
Total loss	£3,750,000
By the additional duties on spirits, British and Colonial, it will gain	£600,000
Leaving a nett loss to the Revenue of	£3,150,000

which will be three millions gained by the people.

I have also to state, for the gratification of the hon. and learned Member opposite (Mr. O'Connell), and other Members for Ireland, that it is not our intention to proceed with the bill for the Consolidation of Stamp duties in Ireland. We are willing to give up every contested thing, and to sacrifice any principle which may be involved in order to avoid Debate. There will remain then to be passed the Appropriation Bill for the votes of the present Session. We propose that the House of Commons shall vote a sum on account of the Estimates not passed; and under the head of the Civil List we ask for some provision to meet the circumstances of the new reign, taking into account the expenses of a Queen-consort. But we ask nothing which may fetter any decision hereafter, and what we ask is only for the interval between the conclusion of the present Session, and the beginning of the next Session. What I propose is, a vote on account, not for a whole year, but for such a limited time as circumstances render necessary. I have thus, as briefly as possible, stated my views as to the course which it appears to me most expedient to adopt at the present juncture. I cannot, however, conclude without earnestly expressing a hope that the House will concur with me in the propriety of passing some few measures, in favour of which the House has already expressed its opinion. Among these is the bill with respect to the Administration of Justice. It will be recollected that the sense of the House having been taken upon the question of the Welsh Judicature, an alteration of the existing system has been agreed to, after full and repeated discussions. As to the bill for appointing a new Judge in the Court of Chancery, and the bill for regulating the Offices of the Master and Registrar, his Majesty's Ministers think that they should not duly consult the feelings of the House, if they pressed those measures during the present Session of Parliament, and they are, therefore, willing that further time should be allowed for taking them into consideration. These are the arrangements which Ministers consider, upon the whole, most conducive to the general interests of the country. We have advised his Majesty to seek for a temporary provision for the public service during the interval between the conclusion of the present Session, and the assembling of a new Parliament. I have now plainly and concisely explained the course which the Government proposes to pursue in case the House of Commons shall acquiesce in the Address which I have now the honour to propose; I shall therefore move it, Sir, which is all that remains for me to perform; and which I hope will meet the approbation of the House. The right hon. Gentleman accordingly moved an Address precisely similar to that moved in the House of Lords, [see *ante*, p. 709.]

Lord *Althorp* said, he wished to offer a few observations on the speech of the right hon. Gentleman who had just sat down, for the propositions it contained were of the highest importance to the best interests of the country. It must be admitted on all hands that they were propositions which involved a great constitutional question, and there would be much difficulty and inconvenience in calling upon the House to pronounce a decided opinion upon their merits without sufficient time being allowed for the purpose. The right hon. Gentleman had stated, with very great candour and fairness, the different points of the measures he proposed to the House, and he (Lord Althorp) could perfectly well understand that many hon. Members might from considerations of personal convenience, be anxious for a speedy dissolution of Parliament; but all considerations of this nature ought to give way where the public interest was concerned. To him it appeared that all the arguments which the right hon. Gentleman had brought forward to show that an immediate dissolution was necessary, had regard rather to personal convenience than to the more important question of public interest or injury. The right hon. Gentleman deprecated any discussion upon the question of the Regency at this time; but, for his own part, he felt persuaded that this was the proper time for the people of England to see how their Representatives voted upon a question of such vast magnitude and momentous importance. The question as to how far it might be expedient to make some temporary provision for the public service at the present juncture was one which, under all the circumstances of the case, deserved to be fully considered before any decisive measure was adopted; but, whatever conclusion the House might arrive at with regard to it, there could be but one opinion as to the weighty importance of the other question — namely, the question of the Regency. No one could possibly regret more than himself the necessity of providing for a Regency on the contingent event of the demise of the Crown; but such necessity suggested itself to every mind, and he would ask if there was any one in private life who would not be deemed imprudent and rash if he delayed to appoint executors who should attend to the interests of his family in the event of his death? The Members of the Legislature, as trustees for the public, were bound to make provision for the Government of the country, by the appointment of proper persons to act on the part of the Crown during the minority of the Sovereign. His Majesty's Ministers would take very great responsibility on themselves if they delayed to make such provision one moment longer than was necessary. The right hon. Gentleman could not call upon the House to adopt his measures without allowing further time to consider them. Independently of the two leading measures proposed by the right hon. Gentleman, there were also several others touched upon by him, some of which the right honourable Gentleman thought ought to be brought forward, and some at the same time, abandoned. Now all these were of great comparative importance, and required mature and deliberate consideration. In all cases where a difference of opinion existed upon public questions, it was usual to give due notice of the time when motions respecting them were to be brought forward; and most assuredly that rule ought not to be departed from when the highest interests of the State were concerned. Yet now, without any time at all being allowed, they were called upon for an immediate decision. He hardly knew what course it might be advisable for the House to pursue, but the inclination of his mind was, that the Debate ought to be adjourned for twenty-four hours only, in order that they might come to a more deliberate decision on a question so highly important. He wished it to be distinctly understood that he submitted this proposition to the House with no feeling whatever of disrespect towards the illustrious personage now called to the Throne of these Realms; neither was he influenced by any wish of not returning an immediate answer to the Message which had been brought down to the House; but he thought that no more inconvenience could result from postponing this discussion till to-morrow, than could be presumed to have arisen from the House having postponed a part of it from yesterday till this day. Having stated thus much, he should move, as an Amendment, that the further discussion on the question be adjourned till to-morrow.

Mr. *Brougham* then rose, and spoke to the following effect:—Sir, I rise to second the motion of my noble friend; but in doing so I take the liberty of stating most explicitly, that, anxious as I am that there should be an adjournment of this Debate, yet I should have carefully abstained from pressing it, could I believe that this motion of adjournment could be so far perverted by any person, in any quarter, as to wear by possibility the semblance of disrespect towards the Illustrious Prince, whom we yesterday congratulated on his accession to the Throne of these Realms. I go further—I do not hesitate to say, that I should lament as much as any man, that any recommendation of mine should have the semblance of a disposition upon my part, captiously and needlessly to embarrass his Majesty's Government: I, for one, have not this disposition—I utterly disclaim it. I rise now, instead of waiting for all the observations which may be urged upon the contrary side, because I think I shall thus best reply to the candour and openness of the right hon. Gentleman's statement, by now declaring, shortly and decidedly, once for all, my impressions respecting those principles broached by the right hon. Gentleman in his propositions to this House. I think this a more convenient and more candid course than lying by to answer the arguments which may be hereafter advanced. Now, first, respecting the question of adjournment as it affects the Civil List: This is a subject of great delicacy and difficulty—and how do I propose to meet it? By recommending that which I recommended ten years ago on a similar occasion—on the Accession of his late Majesty, George 4th—and it was, that we should follow the precedent of the three former Accessions. It is a fit, a constitutional, and a wholesome, exercise of the functions of this House, that Members should consider of the arrangements of the Civil List before, and not after, they should have met their constituents. I certainly entertain no more apprehensions than the right hon. Secretary, that this House would now, more than it would hereafter, forget the duty it owes to the Crown (that is to say, to the people, for whom it is established—and for whose benefit it is supported and maintained) so as to refuse a suitable support for his Majesty; and when I say suitable, I mean, splendid as regards the head of a limited monarchy; but at the same time I know that the people are feelingly alive upon this subject. I know that there is an extreme watchfulness and excessive jealousy entertained by the Commons of England towards all expenses for the splendid support of the Monarch; and I am well assured of the fact that it is for the comfort of the nation in general, and particularly of the illustrious Prince, who has just succeeded to the Throne, that a cordial understanding upon this subject should, as speedily as possible, take place between him and his people. And so strongly, Sir, am I convinced of the advantage of this immediate understanding, that I do not hesitate to declare that the same precautionary arrangements would cease to have the same grace; the same effect, and the same favour, if they were made by a new Parliament, as they would if made by a House of Commons about to render to its constituents an account of the transactions in which it has been engaged. I therefore consider it highly important that we should come to some decision respecting those arrangements here, and not in a new Parliament. I consider it important to the character and dignity of this House, important to the interests and well-being of the country, and of paramount importance to the Crown itself. It is true, as was stated by the right hon. Secretary, that on the death of William, of Anne, and of the two first Georges, the existing Parliament did arrange the Civil List, and that the only deviation from this rule was on the death of the father of our late Monarch; but this was a peculiar case, and such was the argument Lord Castlereagh advanced against me ten years ago. His Lordship said, the case was different from all others, and that it was one to which no precedent could apply. And now, therefore, I beg to suggest (or, I should rather say, to throw out—for as we have had no notice, or no time for deliberation, I cannot do more), that this is, in my mind, a reason why we should assent to the very moderate proposition of my noble friend for twenty-four hours' delay. And now I come to another question of exceeding importance— a question, in point of universal interest, far surpassing any other which could be now brought forward. I allude to that most difficult and delicate question to which the right hon. Gentleman justly supposed (although I gave no direct intimation of it) that I alluded last night. The question is, touching the mode of best supplying any possible defect in the Royal authority on the occasion of an event (which, may it be far distant, is as sincerely and honestly my prayer, as it is that of the right hon. Baronet, or of any other Member of this House, or subject of these Realms)—but on the occasion of an event which, if not previously provided for, might leave the country under circumstances of much embarrassment. And if I, as a British subject and Member of Parliament, thought it was consistent with my high duties as such to suffer myself to be actuated solely by motives of delicacy, or personal regard, or deference to what might be felt elsewhere, I would gladly refrain from at all touching upon this topic—though I hope there is elsewhere too much magnanimity, too much patriotism, too much manliness, to permit the illustrious Sovereign now upon the Throne to hesitate—to contemplate—to shrink from looking in the face that ultimate termination of his earthly existence, from which a recent event may well show him Princes no more than their subjects are exempt. I say, Sir, if we were to look only to such delicacy, and such personal feeling, I would gladly abstain from all allusion to even such a possible contingency. I would gladly close the eyes of my Sovereign against the approach of any calamity, however remote; but I have a duty to perform. The House is compelled to look to the irresistible progress of natural events; and, as far as human wisdom may, to provide against them. We have a duty to perform to the State. Feelings of delicacy and personal pain are not be entertained. It is our bounden and our highest duty to disregard such; and to prove to our constituents, and to the nation at large, that in our decisions we bow to the dictates of reason, but are inaccessible to the sway of feeling. We have then most carefully, most cautiously, most anxiously to see that the common weal is exposed to no risk. And to what risk do you not expose the common weal by leaving this question undetermined? In what difficulties may not the State be plunged hereafter? In what more embarrassing circumstances could these two Houses of Parliament be placed than by being called on to supply a defect in the Executive Government at a time when that defect must be supplied by an Act of the Legislature of an anomalous nature—injurious and unconstitutional in itself, and only to be justified by the plea of severe necessity? Supplied, in fact, by a thing contrary to all law, formed, as it must be, by two branches of the Legislature, framing a law to which the third, namely, the Crown, cannot give its assent. It may be urged in answer to this—we did so in the reign of his late Majesty. True, you did—and you did well; the emergency came on you unawares; and you did the best you could. But then, as to the Act you passed, it was not a law—it was only, as it was truly denominated, the phantom of a Law—a thing tending more than anything this House ever did, to bring the Royal authority into disrepute throughout the kingdom—to strike a blow at Royalty. It went further than anything I know, to teach the people of England a lesson which it will not be easy to unlearn. It showed them that it was possible to do acts of Legislation without a King, and without the sanction of a Crown. Now, Sir, this is one reason why I think the House should adopt means to prevent Parliament being ever again thrown into a condition which would compel it to pass a Legislative Act of a nature so anomalous. Again; I have most earnestly to press upon the House, that if we wait until the emergency shall arise, we cannot either discuss the question respecting the filling up of the Regent's place, or the conditions to be imposed upon the person by whom it is to be so filled, with that coolness, calmness, and freedom from personal feeling, which we could bring to the discussion at this present time. We could not decide with that unbiassed judgment which would now direct us. We could not then decide between the rival claims of the various illustrious individuals who might be anxious to assume the reins of Government, as we might at this moment. The rule of the succession to the Crown is distinct and clear—the entire rights and prerogatives of the Crown would be vested in the Princess Victoria; but then we should have to "place a barren sceptre in her grasp;" and by no extension of self-flattery could "we lay the flattering unction to our souls" that she could exercise a salutary control upon the councils of the State; and it would be a monstrous mockery of all reason and common sense to presume the possibility, or for an instant to think, that a child of eleven years old was to say who was to be Regent for the next seven years—to decide whether her own mother should be Queen for that period, or whether her uncle should be King, or whether several of her uncles should form a Regency, according to the mischievous precedent of 1751 or 1765; or finally, whether her mother's brother, to whom she must be naturally endeared by feelings of mutual kindness and affection, and to whom she is under the greatest obligations, should be for those seven years the Sovereign of these realms. But be this person a man or a woman, the uncle or the mother of the Princess; as he or she must be, in fact, the director of a child in leading strings, I do marvel that any Member, possessing reasoning powers, should hesitate to pronounce in favour of an immediate decision of this question, to prevent the possibility of the many evils which must, upon a future occasion, throng in, when intrigue and agitation must naturally be rife, should Parliament be called upon to decide upon the spur of an emergency, and without the advantage of that deliberation which should precede every legislative measure. And, Sir, this appears in my mind the more strange, when I consider that by this timely precaution we should above all avoid that which all men ought to be most cautious in avoiding—a departure from the fundamental principles of the Constitution. I agree for one with the right hon. Gentleman in the principle that a temporary or provisional Regency should not be countenanced. I could really entertain no feeling but one of pity for that unfortunate individual who should thus hold a worse than "barren sceptre in his grasp," and groan beneath the pressure of a crown of thorns; but there is besides something eminently ridiculous in the idea, that he or she, as it might happen, should be called on to perform the act by which a superior power was to be established; and thus upon all grounds of common sense and precedent: in saying precedent I do not know of any precedent for a provisional Regency in this country, though there may be in others;—I repeat, upon all grounds of common sense and precedent, we should, by pursuing the only rational and constitutional course which lies open to us, avert the possibility of our being compelled, by any sudden demise of the Crown, to appoint this Provisional Regency, which I concur with the right hon. Gentleman in thinking inconvenient and injurious. These are my reasons for joining the right hon. Gentleman in peremptorily rejecting any temporary or provisional Regency. I look to the delicacy and difficulty of the situation in which this country may be placed. The Princess is an infant. Parliament is called on to say who is to be Regent during the minority. Now the first person to whom I must look, and this without any question or regard to popularity or prejudice, is the eldest uncle of the Princess of Kent. This is a rule to which, as the subject of a limited Monarchy, in return for the removal of many things that are evil, and the alleviation of many things that are burthensome, I am compelled to submit. This rule of accession to this office, established against sound reason and the general principles of liberty, does yet minister to us one inestimable advantage—it enables us to avoid the difficulties and dangers of a disputed succession; and this is the polar star to which I look as the subject of a limited Monarchy. I then look to the heir-presumptive, and I find that he exists in the person of an illustrious Prince, the Duke of Cumberland; and I find, to embarrass me the more, that I am not at liberty to consider his personal virtues or defects—I am not at liberty to prefer any other person to him. He is a Protestant Prince, and he is married to a Protestant Princess. On opposite considerations alone could he be disqualified, and, if not upon such, upon no other. But, Sir, there is yet another thing to be considered. The Salique law prevails in Hanover. The Princess of Kent cannot succeed to the throne of that kingdom; the Duke of Cumberland must; and thus is it separated from Great Britain. Now, then, we have the Princess Victoria—a child of eleven years of age—Queen of these Realms, and her eldest uncle, King of Hanover—a foreign kingdom. Here there is no question of prejudice, or popularity, or disfavour; but I am bound to consider whether it would not be unconstitutional that a foreign Prince or Princess should exercise that power within these realms to which his station as heir-presumptive—indeed, I should say heir-apparent, for such he would then become—would be entitled. Am I then, under these circumstances, to abide by the precedent or am I not? Am I to protest against the interference of a foreign Prince, as injurious to the interests of the British people; or am I to adhere to this principle, which, although originally unconstitutional, is convenient? Or, am I—so to speak—to take my chance of the interests of the farm being sacrificed to those of the freehold? I throw this out to show that there is no time to be lost in coming to a conclusion respecting this question. It may be urged that, at this late period of the Session, and in this state of public business, it may not be convenient to enter upon a measure of such magnitude and importance, and that sufficient time has not been granted Members to make up their minds upon the subject; but who, with a serious face, will tell me that the lamentable event which has recently taken place, has not been long contemplated? For the last six weeks the minds of some without the Cabinet were turned to the consideration of this subject, and its probable consequences, and I should fancy the minds of some within the Cabinet were not altogether idle. Certainly, unless they were made of extraordinary materials, they were more or less so engaged. Now, Sir, I allow that it may be very inconvenient that a discussion touching the establishment of a Regency should take place at present; but would it not be better to discuss it now, and in this way, than when the event which would cause it should have happened? We can come now to discuss the respective claims of the Princes of the Blood with a degree of calmness, and with an absence from all bias; but who can answer for our being able at a future period, and under other circumstances, to bring to the discussion that due solemnity and deliberative mind which it would require? Can we promise ourselves that we shall be able to give away the Crown calmly and disinterestedly to one or the other of the claimants;—that we should elect our Regent as subjects should elect a Sovereign, and decide whether we should have one Duke or another Duke for our ruler during these seven years' minority? There would be an actual accession of the Duke of Cumberland to the Throne of Hanover, and Parliament would be suddenly called upon to decide upon his election to the Regency—to that supreme rule to which he has a paramount claim, although he has not a strict right. On all these grounds I call upon the House not to suffer the possibility of a defect in the Executive Government, and not to recommend the dissolution of Parliament till after the consideration of the Regency Question. I shall certainly give my cordial support to the motion of my noble friend to obtain a brief delay of twenty-four hours, to enable us to consider the various topics which have been, without any notice, brought before us this night, and which ought to be calmly discussed before we agree to the Address proposed by the right hon. Baronet. Upon many of them I cannot profess to have made up my mind. I consequently require some breathing-time; and is it not more fitting that we should have this space than that matters should be so hurried forward? It is but fair that we should have some little time to turn this question over in our minds, and view it in the multifarious lights it presents, since, by agreeing to this Address, we at once express our assent to the passing of about two dozen bills, on which there is an infinite variety of opinions. The right hon. Gentleman tells us what measures he proposes to adopt and what to abandon. One man is in favour of the Beer Bill—but another says he has had enough of beer, and so say many others. There are others who do not like some other bills, and I believe there is nobody who will be disposed to comfort the Chancellor of the Exchequer on the loss of his Sugar duties. For myself, however, I must beg to say to the right hon. Gentleman, *dulcia sunto*, if not in the actual existence, at least in memory. Nor, I believe, will anybody rise to say a single word in favour of the fourth Judge in Equity. He has had his day—or rather, I should say, his night—and his exposition on that occasion will, I presume, prevent him from ever again claiming the favour of any other audience. There are various other measures which are scarcely more popular in this House. I myself, however, agree generally in the selection made by the right hon. Gentleman; but I fear he will not find this assent elsewere. Some of the measures brought before us in this hurried fashion are of momentous importance—others are produced for our decision under circumstances at once difficult and novel. By the courtesy of his most gracious Majesty's Message we are now placed in the novel situation of being called on to advise with the Crown whether the Parliament should be dissolved or not. It is not merely a question of corporate interests, where a Corporation declares that it will abandon certain vested rights, but we are called upon to concur in an Address for the termination of our own existence; and I, for instance, without being a Prince, or possessing any part or parcel of Royalty, am placed in the singular position of being called on to abdicate my portion of Legislative power, such as it is, as a Member of this House. In deciding upon this Amendment too, it ought to be taken into account, that contrary to the usual forms of the House, we have had no notice. The Address was general, and did not point out to us any one of those measures which we are now urged to pass. I therefore give my most cordial and strenuous support to my noble friend in his motion for a few hours' delay. One word more, Sir, and I have done. I trust that in speaking as I have spoken, I may not appear to have done that which, if I did appear to have done, nothing could have possibly been more fallacious. I trust, Sir, I have not appeared in any the slightest degree to violate that profound respect and cordial attachment which, humble individual as I am, I beg to express, with the same sincerity I feel it, towards the illustrious Prince who is now seated upon the Throne of these realms.

Sir *C. Wetherell* did not go along with the noble Lord in his opinions concerning the Civil List; but with respect to the other parts of the case, he entertained great doubts, and he was glad that the noble Lord proposed to afford hon. Members an opportunity for turning them in their minds, and expressing their opinion on them. He would contend that the question of a Regency should be made the subject of a distinct Message from the Throne; for, properly speaking, such a measure should originate with the Throne. It was in that way that such a question should come before the House. Messages were sent from the Throne to recommend the House to take under review the proper mode of proceeding in such cases; but, without entering into the question whether, in point of parliamentary form, a Message from the Throne ought not to precede any question as to the appointment of a Regency, he would merely say, that upon the present occasion he was of opinion that the House had not had sufficient notice of the important question brought now under its consideration. He supposed that there were many Gentlemen who then heard him that did not know that morning that the question of a Regency was even to be alluded to that evening. Indeed, from his Majesty's Message one could hardly suppose that Ministers would come down with any measure relating to a Regency. What, however, was the House now called upon to do? Without its having had any previous notice that the question of the Regency would be brought under its consideration, without that question having formed any part, even by implication, of the discussion of yesterday, they were called upon that evening to consent to suspend all consideration of it for an unlimited period. He could not collect from the speech of the right hon. Baronet opposite, how long that suspension was to last, nor when the present Parliament was to be dissolved, nor when the next Parliament was to assemble. [Some disturbance here occurred below the bar.] It was now only a quarter past seven o'clock, and he thought that it would be quite as well if those Gentlemen who were so clamorous after solid pudding would pay some attention to the solid principles of the Constitution. They had before them a constitutional repast, if they knew how to enjoy it, neither less important nor less solid than that to which many of them seemed anxious to hasten. To resume, however, the thread of his argument. He thought that some notice ought to have been given upon this subject, and he would shortly state why. Let the House consider what it was now called upon to do. It was called upon to say, "We will not entertain the question of a Regency in case of a demise of the Crown—*quod Deus avertat*—until the opening of a new Parliament, even though the accident, against which a Regency is intended to provide, may occur in that interim." The right hon. Baronet had gone through a long constitutional history, and had given them a long detail of constitutional principles, in order to prove that an infant Sovereign might be deemed an adult agent, competent to perform any legal Act. Of that, as an abstract principle, there could be no doubt. Yet when the right hon. Baronet proceeded to talk of the demise of our present respected and beloved Sovereign—a Sovereign who was at once respected and beloved for the kindness and beneficence which he had uniformly displayed whilst he was a subject, a circumstance which he hailed as a good augury that he would display similar kindness and beneficence as a Monarch —when the right hon. Baronet, he said, proceeded to talk upon that subject, he gave to the House the same cold and melancholy comfort which his hon. and learned friend, the member for Knaresborough, had recently given to his right hon. friend, the Chancellor of the Exchequer, on the Sugar duties. The Princess of Kent may, the right hon. Baronet said, do—what? She may give her assent to a bill to do—what? To name certain Councillors, and even a Regent, who might despoil her of her Throne—who might ruin her name, reputation, and glory—and who might involve in the same ruin the name, reputation, and glory of the empire. Poor consolation this for the Commons of England, if the King should happen to die—*quod Deus avertat*—that an infant Sovereign might take up the pen at any moment, or even have the pen put into its hand by ill-advised Councillors, to consummate its own ruin. He could not concur with the right hon. Baronet, that this intervention of Parliament, in providing for a Regency, when occasion for a Regency arose, was a desideratum in the Constitution previous to the Revolution. The right hon. Baronet had told them that the first Act after the time of the Revolution which provided for a Regency—it was an Act of the time of King William 3rd—was an Act of special occurrence, arising out of the external and internal condition of the country as to the succession to the Crown, as to its foreign alliances, and as to the attempts which were apprehended of forcing another family upon the Throne of these kingdoms. The right hon. Baronet had likewise told the House that, whenever the necessity for a Regency occurred, the regret with him was, that it could not be met by some general principle of legislation. In that opinion he concurred with Mr. Pitt, who said that he regretted that Parliament could not make a law which would prevent the necessity of having recourse to particular legislation for particular events. Indeed, it would be evident to the House, that all persons, to whose opinions they were accustomed to look up with respect, concurred in this—that the appointment of a Regency was not a question which ought to be pressed unexpectedly and precipitately upon Parliament. Let the House then consider what it was that the right hon. Baronet called upon it to do. He had called in the House of Commons as an assistant to his deliberations. Before the present morning, he thought that he himself had been nothing more than a knight and a lawyer: this evening he found that he was also a Privy Councillor, for he had now received a summons to attend upon the deliberations of the Cabinet. Yes, the whole House had been summoned to the Cabinet, for the purpose of giving the Cabinet its assistance in considering a question, which the House could not know would be submitted to it previously, and of which all the bearings were most important. Without going further into the question at present, he would state that the noble Lord's motion for adjournment carried conviction of its propriety to his mind. He would not, on the present occasion, state what vote he would hereafter give on the point of suspending the question of a Regency to a future period. He would deal as fairly by the House as the right hon. Baronet had done. He would not say upon the present occasion whether he would or would not suspend the consideration of a Regency for three or five weeks, or for three or five months. On that point, he repeated, that he would at present give no opinion. But as hon. Members could have no knowledge either when Parliament would be dissolved, or when it would be again assembled, he would confine himself to stating simply, that at this time they could not tell when the question of a Regency, if they postponed the consideration of it at present, would come under their notice. It was one thing to wait till the recess had run out and the new Parliament assembled; and another to wait for four or five weeks, or it might be for as many months; because, though the right hon. Baronet might know when Parliament would be dissolved, and when it would be convened, that was a Cabinet secret, which he believed that the right hon. Baronet was not inclined to communicate to the multitude of Privy Councillors whom he had summoned to advise him. Before he came to a decision on the subject of the present debate, there were important considerations which he ought to know with certainty. He was obliged, from feelings of delicacy, not to enter into the consideration of the persons who were to compose the Regency. It was, indeed, unnecessary to entertain at present the question how the Regency, in case it should be deemed expedient to appoint a Regency, should be formed; and therefore, as no necessity required him to entertain that question, he gladly turned away from it. He was never more convinced than he was upon this occasion, that no Member could properly perform his duty to his present Majesty and to his country, without considering what he was deliberating upon before he came to his conclusion. The House must therefore consult whether it would risk the postponement of this question for five or six weeks, for five or six months, or for any other still more unlimited period. It was upon these grounds that, without pledging himself to the opinion which he should ultimately give upon this subject, he would say that this was the most important point within his recollection on which the Commons of England had ever been called on to vote without prior notice. One word more, and then he had really done. If he understood the right hon. Baronet correctly, the right hon. Baronet was now endeavouring to make a compact and to strike a bargain with the House. There were some questions upon which the right hon. Baronet would enter, and there were others which he intended to give up for the present Session. "I will suspend," said he to the House of Commons, "certain measures which I have introduced here as Minister, and you, in return, shall give me a vote of Supply on credit, and leave the question of a Regency to further consideration." Now he for one could not consent to a bargain which was founded on the indefinite suspension of a question of incalculable importance—a suspension, too, by which the infant Sovereign might be placed in the unfortunate predicament of signing the bill for a Regency himself, or of having a Lord Chancellor to sign it for him. He well recollected that it had been stated on a former occasion, that instead of getting the child to sign the bill, you might get the Lord Chancellor to guide the child's hand whilst the child signed it; or, in other words, you might get the Lord Chancellor to sign it himself. He did not mean to say or do anything disrespectful to the present Lord Chancellor; but a phrase of Mr. Burke had just come into his mind, which, with their permission, he would mention to the House. Mr. Burke had said, "that they might build up an idol, if they pleased, for themselves, with a large black brow and a long white wig, and might call it a Chancellor; but that no joint stool which a carpenter could create, no wooden image which they could stick up, no table or chair could less fulfil the duty imposed by the Constitution, than the person, be he Lord Chancellor, or any other public officer, who should venture to sign his name for the infant Sovereign." Whatever form, therefore, the Lord Chancellor might assume, be he Lord Lyndhurst, or Lord Thurlow, or Lord anybody else, he would personate the Cabinet which ordered him to put the Seal to the Bill, but not the Sovereign whose rights would be affected by his signature, which might involve in one common ruin the best interests of the Crown and the people. The hon. and learned Gentleman concluded by stating, that he could not, for the reasons which he had stated, consent to this most hasty and precipitate measure, nor could he accede to that bargain which the right hon. Baronet had offered to their acceptance.

Sir *R. Peel* rose to deny, that he had offered any such compact to the House as the hon. and learned member for Plympton asserted. Nothing was further from his wish than to have the statement which he had offered to the House considered as either a bargain or a compact. He had been requested to state what measures Government intended to postpone, and what measures it still intended to prosecute this Session. In compliance with that request, he had stated the business which Ministers proposed to press to a conclusion this Session, but he had not done so with any view of compromising the wishes or opinions of any Member in that House.

Mr. *C. W. Wynn* expressed his entire concurrence in the Amendment of his noble friend, the member for Northamptonshire, to which he meant to give his support, although he did not mean to follow him into the question which he had raised as to the policy of dissolving the Parliament at present. That was a point on which it was competent for his Majesty to exercise his prerogative as he pleased, and on which it became Ministers to give him such advice as they believed to be most serviceable to the interest of the country. For that reason, whatever opinion he had formed as to the policy of carrying on to a conclusion the different measures which had been introduced into Parliament in the course of the present Session, he should abstain from expressing it. But, with respect to the first consideration mentioned by the noble Lord, he saw no reason whatever why the present might not with equal, and even with more advantage than any subsequent Parliament, proceed to discuss and settle the Civil List. He saw no reason why the Parliament, on the demise of the Crown, should not pursue the same course as every other Parliament, with the exception of that which was sitting on the accession of his late Majesty. The accession of George 4th, however, took place under circumstances which differed very widely from every other. He had long administered the affairs of the nation when he was called to the Throne, and the Civil List, which had been fixed for ten years previously, required little alteration on his accession. But let the House look at the first Parliament of George 3rd; what was the course pursued then, with respect to the public business? George 2nd died during a recess of Parliament, and it was of course quite impossible to have an immediate dissolution. Considerations of a personal nature did not prevail at that time; the old Parliament was assembled, and it continued to sit until the whole of the business of the Session was disposed of. He did feel the importance of that consideration, which the right hon. Baronet had mentioned as influencing the Members of the House, and inducing them to hasten the dissolution of Parliament:—by continuing the Session, an opportunity would be afforded to those not in Parliament to canvass electors, and by that means, perhaps, to gain an advantage over those who would be unable to present themselves to their constituents until Parliament was finally dissolved. But that was, in his opinion, a very trivial consideration; and he was convinced that the Members who did their duty to their constituents while sitting in that House, would have no cause to fear the effects of any canvassing in their absence. He had, however, already said, that the power of continuing or of dissolving the Parliament, was constitutionally vested in the King; and he did not mean, for one moment, to interfere with the exercise of his prerogative, unless, indeed, it should appear that the postponement of any particular question would prove directly injurious to the public interests. In such a case, however, any interference of his would be unnecessary, since the paternal feelings of his Majesty towards his people would induce him to be the first to direct a full discussion, and a mature consideration, of every question of that kind. He agreed with the hon. and learned Gentleman who spoke last, that the important subject of a Regency would much more properly, and more advantageously, come before the House by a Message from the Crown. No one would regret more sincerely than himself the existence of a necessity for such a measure; but what was the question before the House? it was, whether Parliament should separate for an indefinite time, without having made the slightest provision in case of the demise of the Crown? In his opinion, nothing could be more imprudent or unwise than such a course. A day seldom or ever passed by in which there was not some evidence of the uncertainty of human life; and although he (in common with every subject throughout these realms) was anxious and desirous that his present Majesty should live long and happy in the exercise of his regal functions, it was impossible to say how speedily the common lot of humanity might fall on him. He was not aware what the first step to be taken on this occasion ought to be, nor did he understand the manner in which the right hon. Secretary had argued the question. He had not alluded to the circumstance of her Royal Highness the Princess Victoria being the direct heir to the Throne. [Sir Robert Peel:—I said distinctly that she was.] He had misunderstood, then, what fell from the right hon. Baronet. He had paid some attention to constitutional points, and was convinced that there was not a single provision for the exercise of the royal prerogative in case of the demise of the Crown and the heir-apparent being a minor. By the Statute of Anne, it was provided that the Privy Council, on the demise of the Crown, should meet and proclaim the heir-apparent; but no provision was made for the exercise of the Regal functions in case of that heir being a minor. For many reigns, the difficulty had never once occurred of providing a Regent under such circumstances as at present. If, therefore, Parliament were to be governed by precedents or analogies, to be drawn from proceedings in similar cases, it must go back at once to the feudal times. He wished to ask them whether a question of that kind, so important in every point of view, ought to be discussed and decided upon under the pressure of an immediate necessity to provide for the exercise of the regal functions? Would it be proper in Parliament, being then assembled, to suffer a subject of such vital importance to be postponed until, perhaps, an actual necessity might exist, for making at once, and without delay, that provision which it would only be wise and prudent to make before the necessity arose. Let the House consider what the consequence would be of a demise of the Crown before Parliament could be again assembled. It would, of course, then be necessary to make immediate provision for the administration of the royal prerogatives; but was it not evident that, at such a time, the subject could not be calmly and deliberately considered. Was it not evident also, that confusion and distraction would ensue from the claims of different parties, urging their rights with equal earnestness? These were possible evils, of which the country ought, in his opinion, to feel the greatest dread; and if Parliament had it in its power to make a provision against them, and neglected to do so, it would desert its duty to its constituents, and abandon the best interests of the State. The Constitution was essentially monarchical, the kingly authority pervaded through all, and was requisite to give effect to every measure adopted by Parliament. He did not mean to say that, in case of the demise of the Crown, an Act of Parliament might not be passed creating a Regency which should be valid, even though there were no Sovereign to give an assent to it. But as he conceived that it would be far better to have the Royal assent given, not as a mere matter of form, but in a substantive and decided shape, he would take immediate measures, while there were a Sovereign and a Parliament, to have the question of the Regency settled, with all the formalities of legislation. When Parliament had to determine how the Royal prerogatives should be exercised, in what individual they should be vested, and under what restrictions he was to be intrusted with them, the voice of the King was more than commonly necessary to give validity to the result of their deliberations. If there was any bill upon which, constitutionally, the Royal negative might be interposed, it was, in his opinion, that for the appointment of a Regent. Such Regency Acts as had hitherto been passed had always been subject to the approval or disapproval of the Monarch on whose death they were intended to come into operation; and the Act of 1751, if it had not been previously recommended by the Crown, was one to which the King's negative might very properly have been applied. The Monarch, while in the exercise of the Royal prerogative, was, of course, most sensible of the necessity of placing the future exercise of that prerogative in proper hands; and for that reason his assent to any Act appointing a Regency was most important. These were the considerations which weighed most with him on this subject; and he trusted that this Session would not be suffered to close, without some provision having been made to meet the possible case of the demise of the Crown.

The Marquis of *Chandos* said, that what had occurred that evening respecting the Sugar duties could not have failed to occasion considerable surprise in the mind of every person connected with the West-India interest. After the repeated statements which he had made to Government, of the distress in which that interest was involved, he was surprised that Government should offer it no relief, but, on the contrary, a measure which was only calculated to aggravate its distress. The East-India interest was to be relieved to a greater extent than that of the West Indies, which would be a positive disadvantage to the latter: that was not keeping faith with the West-India proprietor. He took that opportunity of stating, that he for one would not accept the relief which Ministers tendered to the West-India planters; and that, if he could prevent it, he would not allow the measure which it was their intention to propose, to pass a single stage in that House. He concluded by declaring that he did not mean to take any part in the discussion of the other topics which had risen up in the course of the present debate.

Mr. *Hart Davis* expressed his surprise at the speech of the noble Lord. For his part, he thanked Ministers for the relief which they were going to afford to those with whom he was connected, by the alteration which they had announced in the mode of levying the Sugar duties. He trusted, however, that they would be able to carry that relief still further.

Mr. *R. Gordon* thanked the noble Marquis for the manly and independent manner in which he had spoken out on behalf of the West-India interest, and declared, at the same time, that by their late conduct Ministers had treated that interest with contumely and neglect. He used the terms "contumely and neglect" advisedly. He had seen the good which the gentlemen of Ireland had effected for themselves by agitation; and he believed that it would only be by agitation that the West-India interest would be able to obtain for itself the slightest benefit.

The *Chancellor of the Exchequer* confessed, that the subject which had just been introduced to the notice of the House was one on which he did not expect to have been called on to speak. The House must see, from what had already been stated upon it, what were the difficulties that attended the arrangement of it, and must have formed some idea of the obstacles that the Government had to encounter in the endeavour to conciliate those whose interests were engaged in that trade. On this subject he would say no more at present, than that the Government had felt the most anxious wish to relieve the West-India interest to the greatest possible extent consistent with the means of the country. He had himself originally proposed a mode which appeared to him calculated to effect that purpose, and to operate extensively for its benefit. When that plan had been stated in detail, objections were taken to it, and he had then proposed another, of more general relief, of relief fully co-extensive with the means of the country, and prepared in a manner most conformable to the views of those who had objected to the previous measure; but that had likewise been objected to. With respect to the propositions that were soon to come under the consideration of the House, he would make no further remarks, but would reserve himself to some future stage of the proceeding. Having thus expressed himself on the question of the West-India interest, he should now come to that matter which was more immediately under the consideration of the House. That question was, whether they should postpone for twenty-four hours the answer to the King's Message, in order to take into consideration the question of a Regency? He entirely dissented from those who were in favour of such a postponement. He did not think it consistent with the character of the House, when they received a Message similar to that now addressed to them by his Majesty, to delay answering that Message. The delay was asked for on two separate grounds. First, by the hon. and learned member for Plympton, on the ground that the House had had no notice of the question. In answer to that he would ask what notice could be more distinct than that which was conveyed in the Message of yesterday? His Majesty, in that Message distinctly stated the reasons why he was unwilling to submit to the attention of Parliament any new matter. It could not, therefore, be expected that the question of the Civil List, or that still more important question, the Regency, would be now brought forward. But the hon. and learned member for Knaresborough had fully answered the objection of want of notice, for he had said, that for the last six weeks the minds of all men had been directed to this subject. That hon. and learned Member, therefore, did not complain of surprise, nor did he assert that further notice was necessary, for he distinctly announced that the attention of others and of himself had been for six weeks past directed to these points. As to the objection made by the hon. and learned member for Plympton, that no man knew when this Parliament would be dissolved, and when a new Parliament would be assembled, surely the observations of the right hon. Secretary for the Home Department had removed all doubt upon that subject. For himself he must say, that he thought there were considerable objections to considering the questions of the Civil List and the Regency in the present Parliament. The commencement of a new reign created a great many important subjects for discussion, and Members ought to know the opinion of their constituents on those subjects, not from old and doubtful suggestions, nor from any belief of what might afterwards be found acceptable, but from the more certain ground of knowledge acquired from the previous instructions of those whom they represented. The absence of Members from their places was not merely a personal question, because they would by the agitation of a coming election, be disabled from attending their public duties; and topics like those of the Regency and the Civil List ought not to be commenced unless they could receive the undivided attention of the great majority of Parliament. The hon. and learned member for Plympton had complained that the question of the Regency had not been formally brought before the House; and the answer was, that the Crown, under the special circumstances of the times, had forborne to press it on the notice of Parliament. The same hon. Member had remarked, that the whole House had been called upon to advise the Crown as Privy Councillors; but he apprehended that the course taken by no means trenched upon the undoubted prerogative of the Crown, to dissolve one Parliament and to summon another. The sole object was, to pursue that line which would be least detrimental to the public service. If the House, on the other hand, was of opinion that it would be inexpedient that Parliament should be dissolved, an Address to that effect might be proposed and carried. For these reasons he would not assent to the proposal for an adjournment of the question: if that Amendment were intended as an indirect opposition to the Address, the course was not as downright and straightforward as might be expected from the noble Mover; and if, on the other hand, it were meant only to gain further time, it was unnecessary. He believed that no precedent could be found for the re-postponement of a motion of the kind in order to avoid the expression of any opinion upon the real merits of the question.

Lord *Milton* was able to infer what were the sentiments of the Chancellor of the Exchequer regarding the Amendment, although he had not directly avowed them. For his own part he saw many and weighty reasons for delaying the question for twenty-four-hours. The right hon. Secretary had stated what measures were to be passed and what were to be abandoned; and he had further called upon the House to vote certain sums upon account; but he had never stated the amount he should require, although upon that amount depended the only security Parliament possessed for its re-assembling. The right hon. Gentleman had relinquished his usual fairness upon this point, and unless the amount to be required were stated with more clearness and candour than had been displayed in bringing forward some of the late measures, and particularly the Beer Bill, he must say that Ministers would very much neglect their duty. On bringing forward the Beer Bill, the Excise regulations connected with it had been kept in the back-ground, and concealment had characterized the proceeding from first to last. The right hon. Gentleman had said that the House of Commons would abandon its character, and not do its duty, if it did not vote this Address; but he begged leave to remark, that there was nothing inconsistent with the character of the House, and with the discharge of its public duty, if it required a postponement of the Address—if for nothing else but to elicit from Government a full statement of its views. His Lordship agreed that it would be inexpedient now to introduce new measures, and one fresh topic of discussion of which he had given notice he intended to avoid, by withdrawing the motion which was standing upon the paper; but there were other points of novelty involving considerations of the utmost importance, on which the House ought to deliberate before its separation. He was of opinion, therefore, that those Ministers did not well advise the Crown, who recommended the postponement of measures embracing the most valuable and important interests, and perhaps risking the peace and tranquillity of the country. He could not sit down without expressing a doubt whether the hon. and learned member for Knaresborough (Mr. Brougham) was not wrong in the interpretation he had put upon the terms used by Mr. Pitt in 1789, when he stated that the Prince of Wales had a paramount claim to the Regency. In the event of the accession of the Princess of Kent, no member of the family would possess the paramount claim which was enjoyed by the late King, when Prince of Wales. If by the cruel, or, more properly speaking, by the awful—dispensation of Providence, the Throne should lose its present royal and benign occupant, not one of the uncles of the Princess of Kent would be heir-apparent, but only heir-presumptive. He was surprised that the hon. and learned Member, with his legal habits, should have fallen into this error; and he begged not to be concluded by the opinion which the hon. member for Knaresborough had expressed with less than his usual consideration. Although neither the right hon. Secretary, nor the Chancellor of the Exchequer, had given any explanation, and strenuously contended against postponement, he hoped that some other Minister of the Crown was present, who would afford the House some further satisfaction, by giving a few details.—Sure he was, that if nothing more were said, people out of doors would feel that Ministers had not dealt fairly by the House, nor the House by the country.

Mr. *Huskisson* spoke to the following effect:—However important to an extensive interest, I cannot help thinking that the Chancellor of the Exchequer would have done better to have postponed what he said upon the comparatively minor question of the Sugar duties, until some regular motion was made upon the subject. Whatever relief may be just and necessary for the West-India planters, I agree with the Chancellor of the Exchequer that the shortest and simplest measure, under the circumstances, must be the best, leaving other points to future discussion. I notice this matter first, because it is the only part of my right hon. friend's speech in which I can concur. He asks, why do we wish for twenty-four hours to deliberate upon these important matters? and he urges that we have already had the time we require. I confess that I was never much more surprised than by this assertion. Yesterday the most gracious Message of his Majesty was brought down, with the contents and import of which, until it was read by the Speaker, none but the immediate servants of the Crown were acquainted. We are there told, that his Majesty is unwilling to recommend to the attention of Parliament any new matter that might admit of postponement without detriment to the public service. Hence may arise a question, whether the matters on which we are now engaged can be postponed without detriment to the public service? When the Chancellor of the Exchequer asserts that we have already had twenty four hours' notice, let me ask him whether, after the reading of the Message yesterday morning, Members did not go away from the House with the impression that some description of Regency adapted to the exigencies of the State, would be proposed? Many also were of opinion that some temporary arrangement of the Civil List would also be recommended; and such was not only the opinion of intelligent individuals, unconnected with office, but I could name hon. Gentlemen in office who went away in the entire belief that the topic of the Regency was to be submitted to our consideration. If the right hon. Gentleman were at all acquainted with what has passed out of doors, he would know that so much has the point been mooted elsewhere, that wagers have been laid, on the question whether the Regency was or was not this night to be introduced. Therefore let it not be supposed that the information on this subject was so clear and distinct that no mistake could arise. The principal Minister of the Crown in this House, in his speech to-night, most fairly and candidly said, that he would proceed to what he apprehended was uppermost in the minds of all—what might be the situation of the Throne in case of the unexpected demise of his present Majesty? He admitted that it was a subject full of doubt and difficulty, which had not escaped the anxious attention of Government; and he added, that it had been considered the least of two evils, not to bring it forward in the present Parliament. Government, no doubt, has taken ample time to deliberate upon this point, and when, on our part, we ask only twenty-four hours for consideration, we are told that it is altogether unnecessary. Called upon to decide upon the sudden, it seems to me that there is no room for hesitation: looking at the disadvantage on the one hand of having a few Members employed in canvassing, certain expenses thereby incurred, and possibly a corrupt effect, as my right hon. friend observed, produced upon the people; and looking on the other hand at the fearful dangers and possible consequences of that contingency which I pray Heaven to avert, not only as a loyal subject, but as a Member of Parliament anxious for the tranquillity of the people and the security of the Constitution; I cannot doubt as to the balance, and as to the impolicy of the course we are so hastily called upon to pursue. Remember that we are dealing with an event in which human foresight will be of no avail—which cannot be measured and fathomed by the wisest—which no prescience can foretell—no prudence avoid: no shield can guard, no sword defend the Sovereign from the inevitable lot of humanity. The wisdom of our ancestors has provided, that Parliament may continue sitting for six months after the demise of the Crown, in order to watch the public interests, and, to use a technical expression, to attend the inheritance of the Crown. Should that disaster befal us which my argument implies, and nothing have been done in the way of precaution, we shall have set the wisdom of our ancestors, which gave us this opportunity, at nought, and the dreadful consequences may be measures subversive of the Constitution itself. Shall we, then, with our eyes open, and with the means of avoiding these evils within our reach, expose ourselves to the risk, not indeed of a disputed or doubtful succession, but to a risk only second and minor to it, that of having the powers of the Crown devolve into hands totally impotent and incompetent? For aught we know, that very impotence may be the occasion of an act subversive at once of all the rights, privileges, and prerogatives of the Crown. I do not mean, of course, to say that such dangers must end in such disasters; but ought we needlessly to expose ourselves to the peril, and would that exposure tend either to the security of the Throne or to the happiness of the people? Again, let me observe, that we are not only called upon to deal with this question, but with others necessarily included in the Address; and upon none of these are we to be allowed even twenty-four hours for deliberation. My right hon. friend says, that we are not at present to touch the Civil List; and I confess myself, that I do not see so strongly as some, the inconvenience of postponing the permanent arrangement until the meeting of a new Parliament. Government ought to have time to discuss and weigh all the details, and when the plan is at length brought forward, it ought to be referred to a Select Committee; and that inquiry will unavoidably occupy time. Therefore, I do not view with either jealousy or alarm, the proposal to continue the present Civil List for a short period, on the understanding that no part of the new arrangement is thereby prejudged. Next we are called upon by the Address to do—what? To declare that all the important measures that have occupied us so unceasingly during the present arduous Session, shall be at once abandoned! To say the least of it, this is to stultify Parliament; for we must declare, that all the measures which, in the opening of the Session, came recommended from the Throne itself, as essential to the well-being of the country, are not so essential as the dismissal of the present Parliament, by which they are to be gratuitously, and perhaps for ever abandoned. What will the country think of us, after the labours we have undergone, and the long debates we have held, if we at once break off, doing literally nothing? Did I say nothing? We shall have done worse than nothing—we shall have brought forward measures only to relinquish them for others, which in turn have been also abandoned. We could not last night extract from the Chancellor of the Exchequer what he meant to do with the Sugar duties, and yet now, on a Wednesday night, not ordinarily devoted to business, we are required to decide at once upon the most important topic that can engage the attention of the Legislature. I do not dwell upon the danger and confusion—which itself is danger—to arise from the fatal and unlooked-for demise of the Crown, when, if the course now suggested be adopted, there will exist no executive authority, except by means of one of those temporary expedients which have been of late too much the fashion. An order of Council might temporarily settle the question of the Sugar duties, by directing the collection of more than the subject was bound to pay; but what I now refer to goes to the root and foundation of the Monarchy itself; and is that, too, to be settled by an Order of Council? What I contend for is this—that there are risks it is in no way necessary to incur: let us settle the Regency now, and not leave it to a period of unforeseen calamity, when all the excitement of party animosities will be in full and violent operation, and when we shall be deprived of the reliance we might be disposed to place on the executive Government. I cannot too often impress upon the House that all we ask, in order to avoid the chance of the evils I have pointed out, is a delay of twenty-four hours. As to the Estimates, I beg to know whether it is too much, to ask for a delay of twenty-four hours before we decide whether we shall grant a vote of credit, or whether we shall proceed with the Supplies in the regular parliamentary method? That course was settled by the wisdom of our ancestors, and shall we determine, upon the spot, to depart from it, lest a new candidate should unexpectedly start and derange the interests of some favoured, because favouring Member? Do not let us forget, that we have six months before us for the deliberate consideration of these great questions; and heavy will be the responsibility of Members of Parliament, and fifty-fold heavier the responsibility of the members of Government, if they neglect this opportunity, and expose the nation to the perils and calamities which all may foresee, but which it may soon be too late to avoid. On these grounds, I implore my right hon. friend to re-consider his proposition, and to allow us the short delay we require. I implore it the more, because we are now on the last day of June, and how shall we be better qualified to decide these great matters in September than in July? We know that Parliament has been not unfrequently called upon to consider matters of importance in the month of July, and even in August; and I can see no possible reason why the advisers of the Crown should recommend the re-assembling of the two Houses at the most inconvenient period of the year. That Parliament, if now dissolved, will be re-assembled, as soon as the writs are returned, I cannot for a moment doubt; and I never will believe that a House of Commons, with perhaps 200 or 300 new Members, will possess more knowledge of public affairs, more capability of deciding great questions connected with the public interest, than the present House of Commons, with the assistance of all its experience. Then comes the grand absurdity—I will not use a harsh expression—the grand inconsistency of all: that if the contingency of the demise of the Crown should occur before the new writs are returned, this old, incompetent Parliament must inevitably be re-assembled, to contend with all the complicated and accumulated difficulties, and the alarming insecurity, that may then threaten all our great constitutional establishments.

Mr. *Bright* referred to the period when the Act passed, providing that Parliament shall continue to sit no longer than for six months after the demise of the Crown, and contended, by analogy, that the present was of all times the most proper for considering the circumstances of the country connected with the succession to the Throne. He also adverted to the serious responsibility incurred by Ministers, in refusing to discuss now the question of the Regency, and to the great importance and interest of the subject to the country. He agreed with the right hon. Member who spoke last, that the Civil List did not press with so much urgency, and that it required much time for investigation before the House consented to any permanent settlement. He called the attention of the House to the many great questions yet remaining undecided upon the Orders of the House. Something ought to be determined regarding the Canadas, which were in a state of disturbance and uncertainty. The growth of Tobacco in Ireland was a matter of no small moment; but that, and the questions connected with the Courts of Equity, Tithes, and Beer, were not to be finally concluded. He complained that the Chancellor of the Exchequer had never yet sufficiently stated the nature of his proposed change regarding Beer, although the bill had arrived at its last stage. The Usury Laws, Secondary Punishments, and the Ecclesiastical Courts, were three other questions that were to be wholly abandoned; and with regard to the Sugar duties, he would assert, that the proposed alteration by the Chancellor of the Exchequer would be very far from giving satisfaction to the West-India interest. The planters, during the whole Session, had been ill-treated; relief had been promised by a change in the duties on Rum, but that had been relinquished for the present scheme, which, itself, was now to be hurried through the House, without any opportunity of ascertaining the views and wishes of the parties more immediately concerned. With all these matters unfinished, was it fit, then, independent of any consideration of the Regency, that Parliament should be dismissed, in order that in the next Session the topics should be revived before those who, from their want of knowledge and experience, were unable to arrive at a sound decision? Besides, it ought to be remembered, that no period of dissolution could be more inconvenient than that now about to be chosen: in the middle of a circuit, Members connected with the profession would be led, by personal ambition, to neglect the interests of their clients.

Mr. *Lennard* could not see how it was possible for Ministers to refuse the proposal for a delay of twenty-four hours. With regard to the six months for which the present Parliament could yet sit, although time might not be allowed for beginning any new measures, it would be amply sufficient to conclude those already in progress. He contended that the objections of the Chancellor of the Exchequer were more technical than real, and that those Members who had constituents would canvass them better, by remaining in their places and discharging their duties, than by vulgar and cheaper methods of courting popularity.

Lord *John Russell* observed, that the question was, in every point of view, so important, and involved such great constitutional principles, that he could not allow a division to take place without stating the reasons which influenced his vote [" *Question, question.*"] He was not surprised that some hon. Members, who were on all occasions but too anxious to give their votes without requiring any reason for the act, should be impatient for the division; but he thought that, after the patience they had bestowed on the most trivial questions throughout the Session up to two and three in the morning, he was not requiring too much when he asked them at that early hour to favour him with a few minutes' attention. The right hon. Gentleman who opened the proposition to the House asked for its concurrence in those proceedings which were to hasten the termination of their political existence, on the ground of the great convenience it would be to the Members to have an opportunity of canvassing their constituents, and carrying forward their elections with as little expense as possible, and with the most effectual means of evading that successful rivalry which might be set up if they were compelled to absent themselves from attendance on their business in that House. This was the alleged reason for the course now proposed; but the real reason, and that which every one understood, was of a very different nature. It would be convenient for the Members to save expense in canvassing their constituents; but it would also be more convenient for the Government, when it came to propose the Civil List, to meet with a new Parliament whose span of existence might be extended to six years, and who might show a complaisance to the Government on this point in the first year, under the hope that it would be overlooked or forgotten by its constituents before the Members could be again called to account. This was the plain reason for the proposal of the right hon. Gentleman; and for this every constitutional principle was to be abandoned, and all measures of public convenience or utility wantonly sacrificed. It was a matter of satisfaction to find that every constitutional principle—that every argument, whether drawn from the convenience of the public service, or the pressing necessity of the case, was against the proposition of the right hon. Baronet, and that nothing remained to the right hon. Gentleman to support his views, but an appeal to the personal convenience and interests of the Members themselves. The right hon. Gentleman, in arguing this question of an immediate dissolution, had displayed his usual skill and dexterity as a debater, in the production of precedents with respect to that most important question—the propriety of providing against any sudden demise of the Crown. The right hon. Gentleman, in alluding to the course adopted on other occasions, had drawn his precedents from William, Anne, and the 1st and 2nd Georges; but it was a remarkable circumstance that he had passed over the life of George 3rd, in which the necessity of providing for such an event was clearly admitted and ably argued. Indeed, he thought that the Speech from the Throne calling on the House on that occasion, in the year 1765, to provide for the possible demise of the Crown, contained the most incontrovertible arguments against the postponement of the consideration of such a question a single day longer than could be avoided. Every reason which weighed so strongly in favour of that arrangement in the reign of George 3rd existed now in full force. The same regard in his Majesty for the preservation of good order—the same affection for his family—the necessity of preserving undiminished the honour, the lustre, and the dignity of the Crown—all concurred to induce them to guard against the evils of the sudden demise of the present Sovereign, and to protect this country against the consequences of the power of the Crown falling into the hands of a child of scarce eleven years of age, through whom that power might come into the possession of persons of whom the Government and the Parliament could at the present moment have no knowledge. For the convenience of his Majesty himself, it mattered little whether the question were discussed now, or six months hence; and he trusted, therefore, that the Government, if it did not yield to the arguments drawn from public right and convenience, would at all events listen to the loud clamour for some delay, and allow at least twenty-four hours to consider the effect of a proposition new to almost the whole of the Members,—of which many of them had not had any conception till that evening, and of which he, for one, was entirely ignorant at the moment he left the House yesterday. The question now was—whether the House should proceed to consider those measures which imperiously demanded attention, or whether it should abandon them, and consent to a provisional vote of credit, and perhaps a provisional Regency? It was the duty of the House to pause before it assented to this; at all events, it should guard itself against being driven into an assent to a series of measures, which regard for its constitutional privileges might hereafter lead it to deplore. One thing was plain, that no Member of that House could give his assent to the course now pursued by the right hon. Gentleman, without entertaining an unlimited confidence in the present Ministry. Now, he declared at once that he had not that confidence. He thought well of many of the acts of Ministers—he thought better of many of their intentions—but he was not, after a calm consideration of their conduct since the commencement of the present Session, prepared to give them that confidence which this proposition required. He had watched their conduct narrowly. He saw that the right hon. Gentleman displayed a talent and a skill in the management of his duties in that House, which entitled him to the highest praise; but the support afforded him was so feeble and so inefficient, that in the Ministry, as a whole, he repeated he could have no confidence. He had heard the reasons with which they supported their measures confuted, and their propositions one after another so shaken in the course of discussion, that they were either thrown overboard or totally changed, before they received the approbation of the House. These were proofs of the weakness of the Government in the management of its affairs; but there were other and stronger proofs of their ignorance and incompetency. In the discussion on the Sugar-duties, he had heard their propositions scouted by every man in that House who had any knowledge of commerce; while their measures respecting the alterations of the Court of Chancery were condemned by every Member who had any acquaintance with Equity. In these matters there was no reason to doubt the goodness of their intentions, however their prudence or ability might be questioned; but there was one subject which more than any other had, from the manner in which it was treated, excited his suspicions of the present Government. The subject to which he alluded was not one of those which gave to a county new Members, or to large and populous towns representatives. It conferred no right which was the subject of great party contention. It was a mere question whether the right of voting in a borough town (he alluded to the Galway Franchise Bill) was to be given to those who had once enjoyed it, or whether the right of voting was to be so shut up, as to render a populous town a mere close borough in the hands of a single person? That Bill, after receiving the assent of the House of Commons, had been carried elsewhere, and, to his astonishment—he might add, to his grief—he perceived by the newspapers that the person who proposed the Amendment which perpetuated the abuses in the borough, and limited the franchise to the power of a single individual, was the person who at that moment held the situation of the head of the Government. Whatever might be thought of the wisdom or of the prudence of some of the measures of the noble Duke, no man ever could have supposed that he would sully his hand with such a job as that. To a Government, which, from its vacillation, its incompetence, or its hostility to popular rights, deserved no confidence, he could not give the power it now demanded; and he, therefore, eagerly and anxiously supported the amendment of the noble Lord.

Sir *R. Peel* begged to recall the Members to a consideration of the real question before them. The question was, whether they should reply to the Message of his Majesty, declaring themselves ready to facilitate, as far as in their power lay, the despatch of the business of the Session, according to the Royal wish; or whether they should take twenty-four hours longer to deliberate on the course they might ultimately adopt. Now, he could not desire any better answer in support of the Address, than that which was contained in the Amendment of the noble Lord. They had already had twenty-four hours to consider what they were to do, and the Amendment required twenty-four hours longer. That was the question. They required twenty-four hours longer, to consider that reply to his Majesty which every man knew was already determined on. Could any man doubt, at the time the Message was brought down and read, that it was plain from its language the Answer must correspond to its wish? Could any man doubt that it contained no allusion to a proposal for a Regency, and therefore that there was nothing of that kind on which it was necessary for Members to make up their minds? But what said the learned member for Knaresborough (Mr. Brougham)? Why,—that the whole of the people of this country had for six weeks past been considering the question of a Regency. If that were the case, surely then the Members of that House had made up their minds on the subject, and were competent to decide the question of a Regency or not a Regency, without requiring twenty-four hours longer deliberation. The proposal on the subject of a provisional Regency seemed to be abandoned by all parties. What, then, he asked, were they now called on to decide? Why, that they should, as quickly as possible, go over those votes which were necessary as a preparation for an immediate dissolution, and that they should inform his Majesty they were disposed to comply with his wishes in that respect. His right hon. friend the member for Montgomery (Mr. C. W. Wynn) had, however, called on the House to decide, not that point, but other questions, which for a thousand years had not been decided in this country. The right hon. Gentleman called on them to decide the question of whether the Heiress Presumptive was to be Queen at the time when the Queen Consort might probably have issue? A question which, although it might have frequently occurred, had yet remained, he repeated, undecided. This was the question, however, which the right hon. Gentleman the member for Montgomery would allow the House a few days to determine. Here, however, he recollected another specimen of the objections to the Address; it was the objection of the right hon. member for Liverpool, that the debate had been taken on a Wednesday. So, because the King died on a Saturday, and that circumstance prevented the communication from the Throne being made before Tuesday, they were at this period of the Session not to enter on the discussion of most important public business because it was fixed for Wednesday. He confessed it appeared to him that his right hon. friend had to-night as well as on many other occasions, forgotten he had once been in the service of the Crown. There was scarcely one occasion in the course of the present Session, whether in describing the state of trade, the distresses of the people, or the consequences of a particular course of policy, that the right hon. Gentleman did not cast into oblivion the fact that for more than twenty years no man had been more closely connected with the Government, no man had exercised a greater influence over its decisions, than he. If his right hon. friend found such objections to the course now pursued, and condemned it so strongly, how came it that his right hon. friend had, in his capacity of Privy Councillor, given his consent to the very same course in the year 1820. What did the Crown require on the present occasion? A concurrence in its wishes with respect to the despatch of business, in order that it might exercise its undoubted prerogative. The Crown asked the House for no opinion on the course it proposed. Its power to make this use of its prerogative was undoubted; but the House might nevertheless, as in the case of the continuance of the Sugar duties, exercise its privileges to control the exercise of that prerogative. The real question, as he said before, was not, therefore, whether they should wait twenty-four hours to deliberate on that question on which every man had already made up his mind; but whether they should adopt the views of the Crown, or refuse to allow the exercise of the Royal prerogative until a Regency was appointed. He did not complain of those who had framed the Amendment in its present shape. However opposed to the real common-sense question they had to determine, it was a perfectly legitimate method of opposing the proposition of the Government. He begged those who contended for the immediate appointment of a Regency to recollect, however, that even supposing the Crown was to devolve on the Princess Victoria, the responsibility of his Majesty's Ministers, in the appointment of a Regency, would remain the same, and no difficulty would occur in a case of that kind more than at present. He knew he might be told of the power of the Crown. There were cases certainly in which that power could be exercised to produce strife in the country; but every one knew that all real power was exercised under the responsibility of the Ministers, and that the House of Commons, by the stoppage of the Supplies, could always compel them to adopt that course which the necessities of the country demanded. He entreated the House, therefore, to go to the vote on the real merits of the question—on the propriety of complying with the wishes of the Crown, and reposing a just confidence in his Majesty's Ministers; and not to be deluded by an Amendment which professed to require twenty-four hours for the consideration of a question already fully determined on.

Mr. *Huskisson* was proceeding to deny that he had ever forgotten his duty as a Privy Councillor, when

Sir *Robert Peel* explained, that he had not said anything of that kind. All he wished to express was, that his right hon. friend had frequently forgotten this Session that he had ever been a Minister of the Crown.

Mr. *Huskisson* said, he was unconscious of having acted with the forgetfulness imputed to him; but he bowed with great humility to all lessons received from his right hon. friend on the subject of inconsistency.

Lord *Palmerston* observed, that there had been but two speakers on the side of the Government, although the House had been treated with three speeches, and it was not at all wonderful, therefore, that its supporters should wish to extinguish a discussion in which none of its adherents had any desire to take a part. It had been well observed, that the proposition of the right hon. Gentleman took the House by surprise, for he believed that no one in it had the slightest idea that the great constitutional question of a Regency would be wholly passed by, and that they would be called on to confine themselves to the passing of a Vote of Credit, preparatory to an immediate dissolution. He would say, that he had no suspicions of that kind, and he really thought the Message was framed with great dexterity, so as to allow of its being converted to one thing or the other, as the Government might subsequently determine. When they looked at the state of public business, and the little progress the Government had been able to make during the Session, it did not surprise him that the Ministers found it convenient to send the Members back to their constituents. He understood, indeed, that the true reason for the immediate dissolution was not because the House could not get through its business, but because there was no probability of getting to any termination of the business. All minor points were, however, lost in the contemplation of the awful responsibility which Ministers took on themselves in the event of the demise of the Crown. The right hon. Gentleman said, that it was not necessary to make any provision for a Regency, because the Princess, if she succeeded to the Throne, had the power to assent to the Bill for the appointment of a Regency when it became necessary. If, however, that argument were good, why, he would ask, provide a Regency at all, for, as a child had it in her power to settle the Regency satisfactorily at any time, there was just as little reason for determining to settle the question six months hence as for refusing to settle it now. The argument of the right hon. Gentleman was, in truth, one of the loosest and most inconclusive he had ever heard advanced in that House. The House and the Government were able to find time for details, but, when this great question was brought forward, they turned their backs upon it. For these reasons, therefore, he should vote for the Amendment of the noble Lord.

Colonel *Lindsay* said, that if he had not expressed his opinions on all occasions, it was because he placed implicit confidence in his Majesty's Government. The hon. and learned member for Knaresborough, in his speech on the Scotch Judicature Bill, gave great credit to the Government for what it had done, in depriving itself of patronage for the sake of forwarding the public advantage, and he therefore thought that the hon. and learned Member, and the House generally, ought to give great credit to the Government for what it had done, and to support it on that occasion, in the faith that it was disposed to do all in its power for the benefit of the country.

Mr. *Liddell* said, that he could not support the recommendation to dissolve the Parliament without the appointment of a Regency. He had supported the Government in most of its measures; but this was not a question of 100*l*. or 1,000*l*. It was a question which involved the possible safety and security of the nation; and he felt that he should be wanting in his duty if he did not say that he could not consent to give his vote in favour of the Government on this occasion.

Colonel *Sibthorp* said, that he should support the Amendment of the noble Lord; and he cautioned the Ministry to take care how they dissolved Parliament when the country had such reason to be dissatisfied with their conduct.

The House then divided: For the Amendment 139; Against it 185—Majority 46.

On the Question being put on the Original Address,

Lord *Althorp* said, in his opinion, the House had been called upon to decide this question without due notice; and the Amendment which he had already moved had expressed his view on the subject. He should now move an Amendment to the Address itself, which he did to the following effect:—"That an humble Address be presented to his Majesty, to represent to his Majesty that we acknowledge, with every sentiment of gratitude, the communication which his Majesty has been pleased to make to his faithful Commons; that his faithful Commons acknowledge as a proof of his Majesty's anxiety for the public welfare his Majesty's gracious determination that, in consideration of the advanced period of the Session, and the state of the public business, he feels unwilling to recommend the introduction of any new matter, which would admit of postponement without detriment to the public service; and his faithful Commons feel it to be their duty to state, that if his Majesty, taking the present circumstances of the country into his consideration, should contemplate some provision for guarding against the danger to which the country might otherwise by possibility be exposed, his faithful Commons are ready to take into their consideration such measures as his Majesty may be pleased to recommend for this purpose: that his Majesty's faithful Commons are at all times ready to assist his Majesty in the execution of all public services, and to facilitate the dissolution of Parliament whenever it shall appear to his Majesty to be requisite for the benefit of his people; and they trust that the furtherance of his Majesty's wishes will be most effectually provided for, by diligently carrying through that portion of the ordinary business of the Session which still remains incomplete."

Sir *Robert Peel* did not mean any disrespect to the noble Lord; but as the debating this Amendment would only be going over the same ground again, he should content himself with generally opposing it.

Mr. *Brougham* said, that since his Majesty's Government had resolved to proceed, not only without the support of that House, but against its opinion, and in despite and contempt of its sentiments,—when the whole weight of Government had been put forth, and had only secured the support of 185 against 139; to collect which 139 he would take upon himself to say that no expedient had been used—[*Loud cheers on both sides of the House, amidst which was a peculiar cry.*]

An *hon. Member* rose to Order. He wished to ask the Speaker whether the expression which had just been uttered by the hon. Member behind him was within the rules of the House [*cries of hear, hear, hear! and no, no!*] Might he explain? Was that exclamation, which he took on himself, with every wish to qualify it, to describe as one of a very indecent nature, within the rules of the House?

The *Speaker:* If the impression on his mind had been the same as on the mind of the hon. Member, he should certainly have felt it to have been his duty to have interfered. If he had been remiss in his duty on that head, the House would so instruct him.

Mr. *Brougham* continued: For himself he hardly marvelled at that sort of cheer; and if the hon. Gentleman had been in the habit of sitting on his side of the House, he would by this time have been inured to such sounds. By a wonderful disposition of nature, every animal had its peculiar mode of expressing itself; and he was too much of a philosopher to quarrel with any of those modes. To return, however, to the question. It was his fortune to know, that for the 139 votes which appeared in the minority, no exertion of any kind had been made—no coalition had taken place—no understanding had been entered into; but the division in which he sat, that on his left hand, and that on the right hand of the Ministry, had all come forward spontaneously, because they felt the case strongly. Let them remember, too, that all this had taken place on a Wednesday, and from that hour never let any one be flouted or flung at for bringing forward a motion on that day, whether it was his noble friend, the member for Cambridge (Lord Palmerston), when touching on the dignities of the country; or his hon. friend, the member for Aberdeen, that most useful and invaluable Representative of the people, to whom he wished long life and prosperity, for he had the hearts of the people with him; never, he said, let any one be flouted or flung at for bringing forward business of importance on a Wednesday. Amongst all the arguments used on the other side, he acknowledged that there was one which was new, and one which he had not heard in that House,—he meant the implied threat of resigning. "If you leave Government in a minority I will resign, and where then will you get a field marshal to superintend your finances, and your Law Courts?" If he had had the bad fortune to hear that threat uttered in this place, he should have stated the grounds on which he deemed it his duty not to listen to the threat, but to look with an equal and undisturbed mind on what some might consider the last national calamity. He conceived it just possible for the United Kingdom to bear the going out of office of a considerable portion of his Majesty's Ministers. Let them not lay any flattering unction to their soul, and indulge fond hopes of securing their power from the measure they contemplated; that hope might meet with such a disappointment as to make them look back, even to this Parliament, with some of the pleasures of memory. Their case might be the same as that of Prince Polignac. He must needs send the representatives of France to their constituents; and mark, they were choosing a new Assembly, and that great nation was up, not in arms—that might be controlled—but up in the panoply of reason, and to be the comfort of all freemen, and especially of ourselves; no longer their enemies, but happily their rivals in obtaining the advantages of free and liberal institutions;—they were resolved to set at nought the paltry intrigues of Prince this, and Duke that; and cared no more for them, even when backed by a band of Jesuits, than they did for the memory of those wretched regicides whom they had unanimously agreed to despise and bury in endless oblivion. The hon. and learned Gentleman then continued nearly as follows:—We can perceive, Sir, in this country as in that, that the day of force is over, and that the Minister who hopes to rule by an appeal to Royal favour or military power, may be overwhelmed, though I in nowise accuse him of such an attempt. Him I accuse not. It is you I accuse—his flatterers—his mean, fawning parasites.

Sir *Robert Peel:* I ask the hon. and learned Gentleman, as I am one of those on this side of the House to which he is referring, whether he means to accuse me of such conduct? The hon. and learned Gentleman addressed himself to this side of the House, when he said, "I mean to accuse you—his flatterers—his mean, fawning parasites." I am sitting on this side of the House; and, speaking in my own individual capacity, I ask him whether he presumes—whether he presumes to call me the mean and fawning parasite of anybody?

Mr. *Brougham* rose amid some cries of "Chair, chair!" How it is possible, Sir, for you to answer the question that has been asked, I do not know. I am not aware how you, by any possibility, can answer a question that has been put to me; but I observe, that it is reckoned much easier on that side of the House to have the question put, and then, by a cry of this sort prevent the answer being given. Now, Sir, I beg to answer the right hon. Gentleman's question by a question of my own. I ask him whether, in the course of the last two or three Sessions, I have ever treated him so disrespectfully as he for the purpose of putting this question chooses to consider the case? I ask him whether he has perceived in my conduct, in word or deed, during the last two or three Sessions, the slightest tendency towards treating him with personal incivility or disrespect? Sir, I anticipate the right hon. Gentleman's answer, and it is in reply to the question which he has demanded of me. Sir it was impossible that I should allude to him, but what I did allude to was the votes passed, and the resolutions come to, and the cries uttered, all of which I have as much right to canvass as hon. Members had to make them. An equal right, too, I claim to comment on the character and conduct—or at least, if not on the character, on the political and official conduct of any one of the Ministers to whom the Crown is pleased to give its confidence. This, Sir, is my undeniable right; and if, in the course of my comments, I am interrupted by cheers, the meaning of which is as much as to say that those comments are contemptible and unfounded, it is also my undeniable right to impute that interruption to what I please. Let me be understood; I do not ascribe motives, but I ascribe tendencies. It was tendencies that I ascribed. I am in the judgment of the House that I said it was the parasite —*pessimum genus inimicorum*—that did the mischief. I have a perfect right, Sir, to challenge the conduct of any Minister that the Crown may please to appoint; and if any Minister is defended in an unconstitutional manner, it is my privilege, it is my right, nay more, it is my bounden duty, to attack and expose them, and that shall ever, while I have a seat in this House, be the course which I shall adopt. It is at the same time the course of conduct which it behoves this House to pursue; and I warn his Majesty's Ministers, that such a course will always be adopted, and that it will be their interest, and their best and safest policy to expect and lay their account to seeing it adopted.

Sir *R. Peel:*—Sir, I have no right to speak at this moment; but I trust that the House will permit me to say a few words (I trust in perfect good temper) in allusion to that part of the hon. and learned Member's speech in which he referred to my interruption of his observations. I do not suspect that he offered to myself these personal comments of an unjustifiable nature. I do not believe that it was his deliberate intention to offend any one by their use; but at the same time I must say, that it would have been better for him to have withdrawn the expression altogether, to have said, that it was uttered in the warmth of debate, rather than to attempt, in this unsatisfactory manner, to justify it. No one has contested his perfect right to attack Ministers for their public conduct; but he said, "if the Duke of Wellington should resort to intrigue or employ force," and at that word, Sir, a cheer was given, on which the hon. and learned Member turned around and said, "Do I accuse him of this? No, Sir, no such thing—I accuse you, his fawning parasites"—and then there was a cheer of indignant remonstrance at an attack thus made, and then declared to be meant, not as against the Minister, but against his fawning parasites. Now, giving the hon. and learned Member every advantage of the right of free discussion, I must say that he has no right to accuse men as honest, independent, and upright as himself, of being parasites. Sir, it will be bad indeed if we are not able to conduct these debates, which naturally lead to sufficient asperity of expression and warmth of feeling, without these personal imputations. These words, Sir (for I will make the apology and retraction, for the hon. and learned Gentleman) were not meant to apply to any one—they were not meant to apply to me; the hon. and learned Member said so himself, and I am sure that his feeling of honour and candour will acquiesce in the statement I now make, that they were uttered in the warmth of debate, and without reference to any individual application.

Mr. *Brougham*:—I have no hesitation in saying, that the right hon. Baronet is quite correct. I did not charge any Member more than himself with being a parasite. I was myself offended that I was suspected of applying the words to him. They were not deliberately directed to any individual. All that I did was to state my feelings in language perhaps a little warmer than usual. I will only add, that what I said of parasites is in fact true; and that the worst sort of enemies a man can have are those who obsequiously call themselves his friends.

Mr. *Dundas*, who rose amidst loud cries of "Question," was understood to say, that the hon. Members opposite seemed to have adopted the plan sometimes supposed to be employed by Mr. Holmes, who was called the "Whipper-in." But though they had been started at the same point, they did not seem to run well together; they were not, in fact, well coupled, and they came to fault in the chase.

Mr. *Brougham*:—I don't quite understand the language of the kennel, employed by the hon. Member opposite; it is not generally very intelligible; it is a sort of dog language, full of wit, no doubt, but I repeat, I don't understand it. If the hon. Member means, as I suppose he does, that any attempt has been made to obtain an attendance on this side of the House, he is mistaken. If he means that a single note has been issued to assemble Members together, the idea is, I can assure him, utterly unfounded; and whoever told him so, was either mistaken, or has been the means of misleading him. This I can tell him, that if we were to try the plan he refers to, he would find in another Session that 139 Members were not by any means the number of those who would agree to unite in the defence of the Constitution and the people.

Mr. *Huskisson* confirmed the statement of the want of combination, and suggested to the right hon. Secretary the propriety of allowing the further consideration of this question to be postponed for twenty-four hours.

Sir *R. Peel* could not consent to that postponement.

Mr. *Trant* protested against a proceeding which might leave this country in a most awful situation. He thought the House ought not to separate till they had assured his Majesty that they were ready to consider the question of a Regency.

The House divided: For the Amendment 146—Against it 193; Majority against the Amendment 47.

The original Address was then put and carried.

WAYS AND MEANS.] The Chancellor of the Exchequer moved the Order of the Day for receiving the report of the Committee of Ways and Means.

Mr. *Hume* objected to proceeding after twelve o'clock. The right hon. Gentleman had better postpone the consideration till Friday.

The *Chancellor of the Exchequer* agreed with the hon. Member, that it was impossible for them to expect the House to pay much attention to any subject after the discussion they had already gone through;

but the case was particular, and indeed there was a necessity to forward the measure as soon as possible.

Order of the Day read, and following Resolutions reported—

SUGAR DUTIES.] "That it is the opinion of this Committee, that towards raising the Supply granted to his Majesty, there shall be charged the following duties upon Sugar imported into the United Kingdom; that is to say,—upon all Brown or Muscovado Sugar; published in the manner directed by law, viz.—

	£.	*s.*	*d.*
If the value of such sugar shall exceed such average price by more than 1*s.* the cwt.	1	7	0
If such sugar shall not exceed in value such average price by more than 1*s.* the cwt.	1	5	6
If such sugar shall be of less value than such average price by 2*s.* the cwt.	1	4	0
If such sugar shall be of less value than such average price by 4*s.* the cwt.	1	2	0
If such sugar shall be of less value than such average price by 5*s.* the cwt.	1	0	0
Upon all brown, muscovado, or clayed sugar, the produce of, and imported from, the British possessions in the East-Indies, viz. if the value of such Sugar shall exceed such average price by more than 1*s.* the cwt.	1	17	0
If such Sugar shall not exceed in value such average price by more than 1*s.* the cwt.	1	15	6
If such Sugar shall be of less value than such average price by 2*s.* the cwt.	1	14	0
If such Sugar shall be of less value than such average price by 4*s.* the cwt.	1	12	0
If such Sugar shall be of less value than such average price by 5*s.* the cwt.	1	10	0
Upon all other such Sugar, the produce of, or imported from, any other places, the cwt.	3	3	0

On the Motion of the Chancellor of the Exchequer, these Resolutions were recommitted.

The House having resolved itself into a Committee of Ways and Means.

The *Chancellor of the Exchequer* said, his right hon. friend had stated generally, in the early part of the evening, the grounds for altering the Resolutions in the hands of the Chairman, and at the same time stated the nature of the Resolution it would be his duty to submit to the Committee. There was only one objection, that he knew of, likely to be urged to his present proposition; and that arose from the duty on the different kinds of sugar not being levied in exactly the same proportions as at present. The reduction made in the duties would occasion a loss of revenue, equal to that which he stated was likely to result from the measure previously submitted to the House. He had subsequently thought it necessary to make a reduction on East as well as West-Indian sugar. The ground on which he had proposed that East Indian sugar should not share the intended relaxation of duty was, that that sugar competed with a quality of West-Indian produce, with regard to which no reduction of duty was contemplated; but, from the peculiar circumstances in which the country was placed, it had been judged more advisable to adopt a general reduction of the duties on West-Indian sugar, and it therefore was just to make a corresponding reduction on East-Indian sugar. The reduction proposed on sugar, coming from the West-Indies was one-ninth; and that on East-Indian sugar, somewhat more than one-ninth; but only so much more as was necessary to get rid of the fractional pence. On former occasions, when it was proposed to reduce the duties on West-Indian sugar to 20*s.* a cwt.; and on East-Indian sugar, to 25*s.* per cwt., that scale met with the concurrence of many gentlemen concerned in West-Indian produce; he had, therefore, persuaded himself, that the slight difference of a fraction, now proposed in favour of East-Indian sugar, would not lead to any objection on the part of the West-Indian interest. His object in proposing the present Resolution was, to bring forward a measure calculated to insure general concurrence as a temporary arrangement, not to lay down any permanent system of trade. The wish of the Ministers, in the first instance, must be to afford relief to a suffering interest; and they had reason to believe, from representations made by the West-Indians themselves, that the relief now proposed would be acceptable to them, and therefore not calculated to excite opposition or discussion, so as to prevent the House from passing the Resolution before the present sugar duties should expire. It was not necessary to make any further remarks, but he should be happy to answer any objections made to his proposition. The right hon. Gentleman concluded by moving the following Resolutions, "that it is the opinion of this Committee, that towards raising the supply granted to his Majesty, there shall be charged, for a time to be limited, the following duties upon Sugar imported into the United Kingdom, that is to say:—

"Upon all brown or Muscovado, or clayed sugar, being the produce of, and imported from, British possessions in America, or the island of Mauritius, the cwt. 1*l.* 4*s.*

"Upon all brown or Muscovado, or clayed sugar, the produce of, and imported from, the British possessions in the East Indies, the cwt. 1*l.* 12*s.*

"Upon all brown or Muscovado, or clayed sugar, the produce of, or imported from, any other places, the cwt. 3*l.* 3*s.*"

Mr. *Keith Douglas* had no intention, after so much had been said upon this subject, long to occupy the House by his remarks. In proposing this simple measure of reduction, in point of principle the Chancellor of the Exchequer had done well, and no doubt his proposition would be acceptable; but there was certainly a difference of opinion on the point to which the right hon. Gentleman had alluded. The reduction he had proposed was not so great as the West-Indians had a right to expect; but still, as Government admitted that the duty was excessive, this reduction, small as it was, appeared calculated to excite hope for the future, which Ministers would do well not to disappoint. He expected that they would next Session come forward with a proposition, which would place this interest on a better footing than it had been for several years. With regard to the present measure, the liberty of saying, that a plan, to be acceptable to the West-Indian body, and afford it relief, should not have extended a greater degree of relief to a rival article. The question on the duties on East-Indian sugar, should have been left for investigation, certainly it was not one that ought to be decided in that offhand manner. There would not, perhaps, be so much reason to complain if, taking one-ninth from the duty of 25*s.* on West-Indian sugar, the Government had taken one-ninth, also, from the duty of 37*s.* on East-Indian sugar; but instead of so doing, which would be taking off 3*s.* from the former, and a very little more than 4*s.* per cwt. from the latter, the Chancellor of the Exchequer took 5*s.* from the latter. He said, that this was a very small distinction; but still it was one which affected a most important question, which ought not to be disposed of in this manner. It would have been far better if he had contented himself with moving a reduction on East-Indian sugar of 3*s.* or 4*s.* per cwt.

Mr. *W. Whitmore* said, that in the next Session he would oppose any discriminating duties, as most injurious to the trade. A reduction of duties ought to be accompanied by a proportionate reduction of drawbacks, or a great injury would be done to the consumer at home.

Mr. *Huskisson* had given notice, when this subject was last before the House, that he would move that the duties on Sugar be reduced to 20*s.*; but the original proposition of Ministers having been abandoned, and considering the position in which the House was placed with regard to the Sugar duties, and also considering what had been stated by the hon. Member who spoke last but one, who seemed satisfied with this plan, he meant not to persevere in his intention. The only objection he had to the new plan was, the smallness of the difference made between the East and West-India sugar. Greater relief might have been given without materially affecting the public revenue, and between this and the next meeting of Parliament, he hoped Ministers would consider whether the permanent reduction could be greater. He hoped also that his right hon. friend, on giving relief by reducing the duty on sugar, meant also proportionately to reduce the duty on molasses, now 10*s.* per cwt.; and he should be satisfied with having the duty on that article reduced, for the present, to 9*s.* He would also urge upon his right hon. friend's consideration the anomalous state in which, at present, Rum was placed, an article which was absolutely prohibited in two parts out of three of the British empire. As the law stood, the consumption of rum was virtually prohibited in Scotland and Ireland; the duty upon it there being the same as in England, although that upon home-made Spirits was so much smaller. The duty upon corn-spirits here with the proposed additional 6*d.*, would be 7*s.* 6*d.* a gallon, whilst that upon rum would be 9*s.*; a slight difference, which did not prevent a great consumption of rum in this country, where many persons preferred it to any other spirit; but in Ireland and Scotland, where the duty on corn-made spirits was 3*s.* 4*d.*, the difference between that sum and 9*s.* on an article of this description, amounted to a prohibition of its consumption. He might perhaps be told, that one reason against introducing rum into Ireland and Scotland, at a lower duty than into England, was, that it would be smuggled from both those countries into England. But that was no real objection, for the same argument applied to corn-made spirits, the difference of the duty on which, in the two countries, was very great. No greater injustice could be done to our West-Indian colonies; and no greater insult offered to the feelings of West-Indian proprietors than that of prohibiting their great staple production in two-thirds of the empire. He trusted, therefore, when the relief that would be given to our colonies by the increased use of rum in Ireland and Scotland, but particularly in the latter, where, heretofore, it was in great demand, was considered, that the Chancellor of the Exchequer, would be prevailed upon to lower the duty upon rum, imported into those countries to Scotland, such a degree as to make it bear the same proportion to the corn-made spirits there, as it did to the corn-made spirits of England. In this country there was a discriminating duty, in favour of corn-made spirits, of 1*s.* 6*d.* per gallon, whilst the discriminating duty imposed upon rum imported into Scotland and Ireland was 5*s.* 8*d.*; but if the duty were reduced from 9*s.* to 4*s.* 10*d.*, it would bear the same proportion to corn-made spirits produced in those countries, as it did to the corn-made spirits of this country. This plan would have the advantage of giving relief to the West-Indians, by affording them a market for an article for which they had no vent, and would, at the same time, be attended with benefit, rather than loss, to the Revenue, inasmuch as the increase in the consumption of rum, whatever it might be, would be an increase in the consumption of an article paying a higher duty than corn-made spirits.

Mr. *Keith Douglas* did not mean to imply that the West-Indians would be satisfied with the measure, but from the particular circumstances of the case he had not strenuously opposed it. If the suggestion thrown out by the right hon. Gentleman, as to rum, were taken into consideration he would support it.

The Marquis of *Chandos* maintained that the proposed relief was not what the West-India interest expected, or was entitled to, and he should, therefore, move as an Amendment, to reduce the proposed duty by 7*s.* instead of 3*s.*

The Amendment was read by the Chairman. It was to the effect, that on all plain Muscovado and Brown Sugar, imported from the British possessions in North America, and from the Island of Mauritius, there should be a duty of 20*s.* per cwt.

Mr. *Marryatt* seconded the Amendment. The West-India interest had been seriously injured by the vacillating conduct of the Government. The unexpected change in its measures had deteriorated West-India produce, and caused a vast deal of mischief to every person dealing in it.

Mr. *Bright* argued, that the relief proposed by the right hon. the Chancellor of the Exchequer was wholly inadequate; and represented the great injury and inconvenience which the West-India trade had suffered from the fluctuations in the measures of his Majesty's Government during the present Session.

Mr. *C. Grant*, although he allowed that the proposed relief would not be a substantial one, yet did not wish to oppose his right hon. friend's proposition, because he hailed it as a proof, that the barrier which had been set up against all efforts at a reduction of duty was broken down. At the same time, as he did not consider the proposed reduction sufficient, if his noble friend pressed his Amendment he would support it.

Mr. *Manning* supported the Amendment, considering the relief proposed by the original Resolution to be wholly inadequate.

Mr. *Hart Davis* hoped that greater relief would be afforded in the next Session, and considered the present reduction as a great concession.

Mr. *R. Gordon* said, that the West Indies were in so reduced a state, that even the trifling relief proposed would be acceptable. If his Majesty's Government had the smallest desire to alleviate the distress of the West Indies, they would attend to the suggestions of the right hon. member for Liverpool respecting the duties on Rum.

Mr. *Hume* thought, that the question ought not to be made so much a personal question, but that those who formed what was called the West-India interest, ought to come forward in common with all who were concerned in the growth of sugar: if they would not seek a monopoly but make common cause with the people of England, the latter would make common cause with them. Let them do by the parties connected with the East Indies as they would be done by, and not, like the dog in the manger, deny to others what they could not enjoy themselves.

Mr. *Bright* denied that the West-India interest could safely make common cause with the East-Indians. He complained much of the present being made a bye question—he wished to see it a Ministerial question, that they might come forward and argue it in the face of the country.

Mr. *Maberly* said, that the consumers had as much, nay, more reason to complain of the amount of the duties than the West-India proprietors; for the consumers were, after all, the real sufferers. He was resolved to vote for the larger reduction, for he was determined to oppose any impost that he possibly could, though he acknowledged it was not the most legitimate mode of expressing the dissatisfaction which he thought the House and the country had a right to feel at the enormous amount of the Estimates for the present year, which, in one branch alone, were 500,000*l.* above what they ought to be.

Mr. Alderman *Atkins* was compelled, against his inclinations, to support the Amendment of the noble Lord. He regretted that the Chancellor of the Exchequer had abandoned his original plan, which would have given more relief to the suffering West-Indians than the present reduction of duty.

Mr. *Poulett Thomson* dwelt upon the impracticability of the plan of the right hon. Gentleman; who he was sure would acknowledge, that, within these few days, a paper had been presented to him, signed by several practical men, pointing out the impossibility of executing the proposed measure. He should on that, as well as other accounts, vote for the Amendment of the noble Lord

The *Chancellor of the Exchequer* said, that the present state of the finances of the country would not admit of such a sacrifice of Revenue as the Amendment necessarily involved. The reduction which he had proposed, he should have no objection, at a future time, to extend further, should it on trial be found to work well.

The Committee divided — For the Amendment 88; Against it 88—Majority 52.

Original Resolutions agreed to, as was also a Resolution for reducing the duty on molasses to 9*s.* per cwt.; and also a Resolution, that a sum not exceeding 13,607,000*l.* be raised by Exchequer Bills for the service of the year 1830.

The House resumed; the Resolutions reported.

HOUSE OF LORDS,

Thursday, July 1.

MINUTES.] Several Peers took the Oaths to the new King.

Petitions presented. By the Duke of RICHMOND, from the Merchants, Bankers, and Inhabitants of Bristol, for the Abolition of the Punishment of Death for Forgery:—By the Marquis of LANSDOWN, from Swansea. By the Duke of DEVONSHIRE, from the Roman Catholic Inhabitants of Dungarvon, praying that they might not be compelled to the Support and Maintenance of Protestant Places of Worship. By the same noble Duke, from the Inhabitants of Bandon, against any Increase of Taxation in Ireland; and from the Members of the Derbyshire Medical Society, for facilitating the Study of Anatomy. By Earl GREY, from the Protestant Inhabitants of Galway, in favour of the Galway Franchise Bill. By the Marquis of DOWNSHIRE, from Hillsborough and Athy, against the Duties on Spirits. By the same noble Marquis, from the Letter-press Printers of Belfast, against the Duty on Stamps.

BIRMINGHAM FREE SCHOOL.] Earl *Grey* presented a Petition from certain inhabitants of Birmingham, praying that the House would not proceed to a third reading of the Bill relating to the Birmingham Free Grammar School, but that it might rather be deferred until next Session. The noble Earl concurred in the prayer of the petition, and recommended it to their Lordships' particular attention. The petition having been read,

The Earl of *Shaftesbury* admitted that it was an understanding, when the committee was adjourned for a fortnight, that the Bill should be withdrawn for the present Session. After that understanding he had not been present at the committee; but he felt himself bound, as the parties could not come to an agreement amongst themselves, and as the Bill had already cost a considerable sum, to move the third reading of the Bill, which the noble Earl accordingly did.

Lord *Calthorpe* supported the Motion. The Bill would be of great advantage to Birmingham, and was calculated to carry the intentions of the Royal founder into effect. If the Bill were postponed to another Session, it would occasion great inconvenience and loss.

The Earl of *Radnor* observed, that

there was a strong feeling in Birmingham against the Bill, and therefore conceived that it would be a hardship to the petitioners if, under such circumstances, they were to proceed to a third reading.

Earl *Ferrers* was of opinion, that it would be productive of considerable agitation in Birmingham, if the Bill, on the contrary, did not pass during the present Session.

Earl *Grey* thought the postponement of the Bill to next Session would be most likely to conduce to the interests of all parties. Most respectable merchants in the town of Birmingham, with whom he had conversed, were of opinion that their interests would be seriously affected by the passing of the Bill, and he was himself persuaded that it would be by far the best course to put an end to the Bill for the present, in order to give parties an opportunity of discussing it, and coming to a good understanding on the subject during the recess. He should accordingly move as an Amendment, that the word "now" be left out, and that they should substitute these words, "that it be read a third time this day six months."

The Earl of *Harrowby* was of opinion, that delay would not produce the desired unanimity. The great object of the Bill was, to give Birmingham the benefit of a good commercial school, as well as a grammar school, which was wanted there as well as in many other places. It was time that the old-fashioned opinion that all education consisted in teaching the Greek and Latin languages should be abandoned, and more useful knowledge taught in their stead. He would support the Motion.

Lord *Dacre* was of a different opinion, as he considered the present site quite adequate to all the purposes attainable by the Bill.

The Earl of *Carnarvon* said, he was against the third reading, which he objected to in consideration of the expenditure of money, destined to charitable purposes, which it was likely to occasion, if the trustees were allowed to persist in attempting to carry a measure so violently opposed. The profits of the property were 3,000*l.* a-year now, and would soon increase to 10,000*l.*, which ought not to be diverted from the object for which it had been originally designed.

The House divided on the Amendment —Content 22; Not Content 16—Majority 6.

DRAINING OF BOGS (IRELAND). The Marquis of *Downshire* said, he had to lay before their Lordships a Report from the Select Committee to which was referred the Bill for more effectually draining bogs and reclaiming bog and marsh-land in Ireland. In consequence of the state of business in Parliament, and the little chance there was of getting the Bill through in the present Session, the committee had come to the determination to report progress. That report he had now to lay before the House, and in doing so he could assure their Lordships, that the committee were unanimous in their opinions as to the importance of this subject, as it affected the prosperity of Ireland, though it was not generally or sufficiently understood. A great benefit would accrue in the improvement of property, and particularly in the employment which would be given to the poor in that country. There were, it added, immense tracts now under bog, peatmoss, or morass, the draining and improvement of which would, at no very great expense, yield a quantity of fertile land, which would amply repay the outlay in its drainage.

Report ordered to lie on the Table.

ANSWER TO THE ADDRESS.] The Earl of *Shaftesbury* said, he had to communicate to the House the gracious answer of his Majesty to the Address which their Lordships had voted. The answer was as follows:—

"WILLIAM R.

"I receive with satisfaction this dutiful and affectionate Address.

"The testimony which it affords of your sense of the loss which you and the country have sustained by the death of the late King, and of your respect and regard for his memory, is highly gratifying to me.

"I return you my thanks for the expression of your confidence in me; and I assure you that I feel that I shall best deserve your support, by my efforts, under the favour of Divine Providence, to maintain the reformed religion established by law, and to protect the rights and liberties of all classes of my subjects. W. R."

FORGERIES PUNISHMENT BILL.] The Marquis of Lansdown moved the Order of the Day for the commitment of this Bill.

The Earl of *Malmesbury* said, that before the Bill went to a committee he was anxious to know from the noble Lord opposite, why this Bill should not be extended to Scotland and Ireland. The subjects of these portions of the realm were in the enjoyment of a paper currency; they were excepted from the operation of many taxes which pressed heavily on the people of this country,—they had their whisky 4*s*. or 5*s*. a gallon cheaper, and now they were to enjoy the additional privilege of being hanged for the crime of forgery, of which the people of England were to be deprived by this Bill. It was, he thought, important that legislation for the two countries should advance *pari passu:* but if this Bill passed, we should be in this situation,—that what would be a capital felony on one side of the Tweed, would be only a misdemeanour on the other. He merely threw out this as a suggestion, but he would wish to know from the noble Lord, whether he would have any objection to include Ireland and Scotland in the Bill; or whether, if separate bills were introduced for that purpose, there was a chance of their being carried through in the present Session.

The Marquis of *Lansdown* said, that he was not answerable for the state in which the Bill had come from the other House. With respect to the exclusion of Ireland and Scotland, to which the noble Earl alluded, there was some technical difficulty in the way, which made it necessary to exclude them by name. But if this Bill passed, and were found successful, there would, he supposed, no great inconvenience accrue by not passing similar bills for Ireland and Scotland, till this had been tried for England. As to the privilege of hanging for forgery, enjoyed in those two countries in the mean time, he would only say, that hitherto it had been used but very moderately. For several years there had been but few executions for that crime in Scotland, and none at all in Ireland.

The Duke of *Wellington* said, that clauses including Ireland and Scotland were at first introduced into the Bill in the other House, but were afterwards struck out; though he hoped the omission would not stand in the way of the progress of the Bill.

The Earl of *Malmesbury* said, there were technical difficulties as to including Scotland, but the same objection did not exist with respect to Ireland; and he did not see why the latter country should not be included. There had been twenty-six convictions in Ireland for forgery within the last seven years; but the Judges there appeared to take a very different view of the law from the Judges here, for there had been no executions. In Scotland there had been some executions, and there might be more after this Bill had passed. He hoped, therefore, that their Lordships would take this matter into consideration, and agree to a bill to exempt Scotland and Ireland (if the exemption of the latter should not be included in the present Bill) in the same manner as the Bill proposed to exempt other parts of the United Kingdoms. He threw this out as the suggestion of an humble individual; but he thought the subject deserved serious attention.

The Marquis of *Lansdown* said, that if the forms of the House admitted, he should have no objection to the introduction of a clause to include Ireland and Scotland in the Bill. As he had before addressed their Lordships on the subject he would not take up their time further than by moving that the House resolve itself into a Committee on the Bill.

The House went into the Committee—several clauses agreed to.

The *Lord Chancellor* said, that when the noble Marquis moved the second reading of the Bill, he mentioned that he would state his objections when the Bill went into a committee, and in fulfilment of the pledge then given, he would now state, as briefly as possible, the nature of the objections he had to make to the Bill in its present state. The object of the Bill, as it now stood, was to take away the punishment of death from the forgery of all negociable securities of whatever kind, and also from the forgery of transfers of Stock, or forging Stock receipts of any kind, and to substitute, for the punishment of death, that of transportation for life, or for a term of years, or imprisonment. The object of the Amendment which he should have to submit was, that the law in this respect should remain as it stood before the introduction of the Bill. After he should have stated the grounds on which he thought the law ought not to be altered, he would acquiesce with cheerfulness in their Lordships' decision; but, assuming that that decision would be against him on these points, there were other objections which he had to the forms of the Bill, and to these he would afterwards call the attention of their Lordships, but for the present he would confine himself to those he had first mentioned. The noble Marquis who moved the second reading of the Bill had truly declared to their Lordships, that forgery, up to the time of William 3rd, was punishable only as a misdemeanour. But the noble Marquis had omitted to state, that the crime in that reign was made punishable with imprisonment, pillory, forfeiture, and mutilation, for a first offence: the second offence was made punishable with death. After the Revolution, when a paper currency was in circulation, and when transactions in paper securities were more common than before, forgery of Bank securities was made punishable with death. In the reign of George 1st, the forgery of bonds, bills, or any kind of negociable securities, of even a private character, was made punishable with death. That Act was intended to be only a temporary measure, and was limited in its operation to five years, in order that an opportunity might be given of seeing what were its effects. At the end of the five years it was allowed to expire, and was not renewed until two years afterwards. In the interim, inquiries were made by a Committee of the House of Commons, to ascertain what had been the operation of the law, and the result was, that a bill was recommended, making the punishment of death for forgery perpetual; and the grounds on which it was so made, from the experience of the five years, were stated in the preamble of the Act. From that time down to the present, the law remained unaltered, but acts had so multiplied with respect to forgeries of different kinds, that the state of the law became complicated, and various attempts were made from time to time to consolidate it, and if possible to mitigate the severity of some of the enactments; but those attempts were ineffectual. At last the subject was taken up by his right hon. friend, the Secretary for the Home Department, and by his extensive acquaintance with the subject, his great and unremitting zeal and perseverance, he succeeded in making that consolidation of the law on this subject, which was to be found in the Bill on their Lordships' Table. A reference to that Bill would show the able, clear, and masterly manner in which his right hon. friend had executed his task. The difficulties in the way of such a work could be judged of correctly only by those who were acquainted with the subject. He had first to inquire how the things was to be done, and his inquiries were followed up with that intelligence, clearness, and prudent caution, which marked his character, and which, added to the great experience he had acquired on the subject, qualified him in so peculiar a manner for the task he had undertaken. After the most mature deliberation on the subject, his right hon. friend introduced the Bill, but without thinken it safe to remove the punishment of death for forging negociable securities, transfers of stock, and stock receipts. In that view, however, the House of Commons did not concur, and the Bill was altered to the state in which it now lay upon their Lordships' Table. It was now for him to state the reasons which induced him to oppose the Bill in that shape, or rather to combat those objections, by which the Bill in its original shape was opposed. He did not feel it necessary to enter into any arguments as to the right of the Legislature to inflict the penalty of death for the protection of property. There were, he admitted, a few respectable individuals who held the opinion that death ought not to be inflicted for any crime but that of murder, but he was sure that that opinion was not common to their Lordships, who, he had no doubt, admitted the propriety of guarding property in many instances by the infliction of capital punishment. The arguments of those who supported the Bill as it now stood were, that the severity of the law defeated its own purpose; that parties were unwilling to prosecute, or found a difficulty in obtaining the attendance of witnesses for that purpose in cases of forgery; that convictions could with great difficulty be obtained from juries on trials for forgery; and that even the Judges themselves were in no slight degree influenced by an indisposition to convict. These were the leading objections against the infliction of capital punishment for this offence. He had gone carefully through the body of petitions which had been presented to the House on this subject, and he found that they resolved themselves chiefly into the points he had just mentioned. He would now go to them in the order in which he had stated them. In the first place, as to the objection that the severity of the law defeated its own object, he would take the transactions of the metropolis in money transactions by means of negociable securities, and he selected them because, being the most extensive, greater facilities, and of course greater temptations, were given to the commission of that crime, as in the very extent of the transactions, and the necessary quickness of despatch, there were greater chances of escaping detection. He also selected the metropolis, because more accurate information could be obtained, as to the nature and extent of the transactions, here, than from any other part of the kingdom. Their Lordships need not be told that the most important pecuniary transactions were made through banks, and by means of negociable bills, or by checks; and though in such a place as London these transactions must involve immense sums, yet probably some of their Lordships would be surprised when he stated what that amount was, though only in a few cases. From returns which he had seen, and the accuracy of which there could be no reason to doubt, it appeared that the transactions of twenty bankers, in bills and cheques, in three days of the last month, amounted to no less a sum than 9,000,000*l.* sterling. The transactions of four banking-houses in the same way in the course of one year amounted to not less than 500,000,000*l.*, and the transactions of twenty other houses, within the same time, were not less than 1,000,000,000*l.*—a sum greater than the amount of the National Debt. In looking to the operation of the law as it stood, their Lordships should take first into consideration the extent of pecuniary transactions, the rapidity with which business must necessarily be done where it was so extensive, and the facility with which forgery might in consequence be committed; and then see how far the law had prevented such depredations. Their Lordships might form some idea of this, when he stated that in the first four months of the present year the amount of forgeries attempted on the houses he had named did not exceed 685*l.* From this fact alone he might say that the present state of the law did prevent many crimes, and he might argue, not unfairly, that it was found sufficient for the protection of property, and that therefore we should not be justified in making the experiment of changing it for a state of things of which we had no experience. In addition to this he might state, that in 1828, the amount forged on the Bank of England, in its negociable securities, was only 180*l.*; and in 1829 it did not exceed 380*l.* in negociable securities and cheques. He might not unreasonably infer, then, that the law was sufficient for its object; and to those who contended that the severity of the law defeated its object, he might fairly urge the documents from which he had just quoted as an answer to that objection. The next objection was, that parties were reluctant to prosecute for this crime. He believed that persons generally were very unwilling to prosecute for most capital offences; but he did not believe that they were less disposed to prosecute for forgery than for any other crime,—one or two crimes perhaps excepted. A prosecution was always attended with trouble and loss of time, and often with expense, which many persons were unwilling to undertake; and when a man was asked why he did not prosecute, he would much rather refer his reluctance to his humanity than to his wish to avoid trouble, or to save expense. Then it was said, that juries were unwilling to convict in cases of forgery. There might be times of great excitement, when a run, if he might so express it, was made upon the humanity of juries, and they became reluctant to find men guilty; but in ordinary times and cases he had seen no such reluctance. He had witnessed many trials for this offence, and trials of all descriptions in the course of his practice at the bar, and he admitted that in all trials for capital offences, juries were more jealous and more circumspect as to the evidence they should receive, than in trials for minor offences; and he might state it as a fact, in the assertion of which the experience of every person acquainted with the practice of our Criminal Courts would bear him out, that there were fewer convictions for capital offences, taking the number of trials, than for minor crimes; but he would not admit that, taking the number of cases, there were fewer convictions for forgery than for any other capital crimes. Let their Lordships look at the number of convictions for six crimes, the trials for which were the most common in our Courts, and compare them with those for forgery, taking the number of trials for each into consideration, and they would find that the convictions for the latter were not less than for the former. Take, for instance, murder, burglary, house-breaking, horse-stealing, sheep-stealing, and offences under Lord Ellenborough's Act, and from very accurate returns which had been made to Parliament, it would be seen that the average numbers were two convictions for one acquittal. But how was it with respect to forgery? From the most diligent inquiries which had been made, it was found that the result was nearly the same. Then would not their Lordships fairly infer that there was not more reluctance to convict for forgery than for any other crime? An inquiry was also made as to the number of trials for misdemeanours, and it was found that the acquittals were only one-fourth of the whole, thus fully bearing out what he had stated, that in capital cases juries were not so ready to convict as in those for minor offences. This argument would go to the other points of the case as well, and if he were told that the severity of the law defeated its object, he would refer to prosecutors, witnesses, and juries, and he should find that the allegations were not borne out by the facts. The argument, then, was one of mere speculation and theory, unsupported by the *data* to which those who used it appealed. But then, their Lordships were told, that the punishment of death ought not to be inflicted for this offence, because—and this he must say was another part of the speculative and theoretical argument, unsupported by facts—the persons who usually committed forgery were of a class for whom death had no terrors; that these parties were men of somewhat better education than the ordinary class of criminals, though of wild unsettled habits,—men who would risk their lives on the cast of a die. He thought the reverse of this was the fact, and that it was mere unsupported speculation and theory. The terror of death was general, and natural to all men, and it was the only punishment which would present itself strongly to the mind of a man who had acquired a habit of reflection. No doubt, to a man who reflected on it, a long series of years of degradation by imprisonment and hard labour, would be worse than death: but the persons who usually committed the crime of forgery were not of this description. They looked first to the reward which would follow upon their successful crime, and when they risked their lives for that, it was but natural to suppose that they would more readily risk the chance of a punishment which, for the moment, they would only consider as not being a loss of life. Let him now call the attention of their Lordships for a moment to the facilities afforded to the crime of forgery,—to the immediate reward held out to its successful commission. Of the money transactions to which he had before alluded, two-thirds were paid in cheques, and with respect to these, a protection was the more needed because the parties forging them could more readily escape detection. He was informed that the skill in forgery was so great, that in many cases detection was extremely difficult, and in some impossible by the mere comparison of writing. Another facility afforded to the person committing the forgery was found in the jealousy which bankers had of their credit; and if a cheque was severely scrutinized and examined, it might be thought it arose from some discredit of the party whose name it bore. To prevent such a suspicion, the cheque was often examined with little care, and this, added to the general rapidity with which business must be despatched, where it was transacted on a large scale, would tend to diminish the chances of detection. How was, in fact, forgery of this description carried on? The party committing the fraud generally gave the cheque to an innocent person to present. The hour selected was generally that which was the most busy at the bank. The forger watched at some convenient distance in the neighbourhood: if any delay occurred, so as to induce him to think his fraud was discovered, he could at once make his escape; but if his messenger came out, and the fraud was undiscovered, he got the money, turned the notes into cash, and sought his safety in immediate flight, for which he bore the means in his possession. To such a person there could be no more effectual restraint than placing before him the certainty that the severest punishment of the law must follow detection. When he spoke of the severest penalty, he meant, of course, death; for if any other punishment could more effectually deter from the crime, it must be one that in the eye of the criminal would be considered worse than death. He did not think there was any other punishment which would be so considered, and if that were abolished, there was not any adequate punishment which could be substituted. Transportation was named in the Bill, for life or for a limited term, but the very individuals who supported the Bill in its present shape did not admit that transportation was an effectual mode of punishment. It was admitted, and he had often heard it in the House of Commons, that that mode of punishment was inadequate to its object. The persons who usually committed forgery were of a class who, from their education, were likely to be in request on their arrival in the colonies. They were no sooner out than they obtained employments almost as good as those they held in this country. Transportation, then, would be a failure as far as it was intended for punishment. What was the next punishment substituted by the Bill? Imprisonment, which, he perceived, might be extended to a period of fourteen years. But such a length of imprisonment was alien to our law, and to the feelings of the people; and he had no doubt, if this Bill were to pass, and in the course of time several persons should be imprisoned under it for five or six years, that the Table of the House would be covered with petitions against the severity of that mode of punishment, as much almost as it now was by petitions against the punishment of death. Then it was said, that imprisonment was to be accompanied by hard labour; but persons of the class who were likely to come under the operation of the Bill could not submit to hard labour, and the only efficacious plan of hard labour was that on board the hulks. To that, however, they would be inadequate; and it would have only this effect —of inflicting, by a slow and painful manner, that death which it was the great object of the Bill in its present shape to avoid. On these grounds he should object to those parts of the Bill which went to remove the punishment of death; but he had another argument in support of his view of it, drawn from the admission of those who were its supporters, for he found that those who admitted that death was not the most efficacious mode of preventing forgery, in other instances had themselves reserved it as the most effectual protection against the forgery of wills. This he considered an abandonment of their own principle; for if the fear of death was to be good as a preventive of one kind of forgery, why not of another? To make the Bill consistent, the punishment should be abolished in all; and if their Lordships should object to the Amendment he was about to move, he would afterwards move as an Amendment, that the punishment of death should also be taken away from the forgery of wills. He had heard some arguments drawn in favour of the Bill from the practice of other countries, in which the crime of forgery was not a capital offence; but he should like to be informed how far that state of the law was found efficacious in preventing the crime. In one country, where the law was in this state, and forgery not so severely punished, he meant Tuscany, he was informed that the offence prevailed to a very considerable extent. But he should also like to know whether, in the countries where the same severity of punishment did not exist for this offence, there was known the same extensive dealings in money transactions by cheques and bills; for, in order to judge of the efficacy of the milder punishment, their Lordships should be informed whether it was inflicted under similar circumstances, and where the same facilities and temptations to the crime existed. Then as to the plan of secondary punishments, they were repugnant to the spirit, feelings, and habits of the people of this country. In some countries they were carried on, and found effectual, by the permanent degradation of the criminal; but the spirit of our free institutions and our national habits were opposed to such a system. This sort of secondary punishment was in use also in countries which had a much better system of preventive police than, from the nature and spirit of our institutions, could be kept up in this country. Another argument, to which no inconsiderable weight was attached, was, that their Lordships were in a new situation with respect to this Bill; that having received the sanction of the Commons, they were in a different situation from what they would be if it had originated with themselves; that the fact of its having received the sanction of the other House of Parliament might add to any prejudice which existed in the country on the subject, and might indispose prosecutors, witnesses, juries, and even Judges, to press the law to its utmost severity, and might, therefore, defeat its object. He admitted much of the force of this reasoning, and the fact of the Bill having passed the Commons had caused him to hesitate, to consider, and to doubt his own previous view of the subject; but after the most mature consideration he had been able to give it, in all its bearings, he was obliged to fall back upon his former opinion, that it would be better to expunge those clauses, and allow the law to remain as it now stands, and that if, in the course of time, a mitigation of punishment should be found necessary, it should be made, not at once, as the Bill proposed, but gradually. But with the highest respect for the opinion of the other House on the Bill, their Lordships should consider in what way that opinion had been expressed. The whole of the Members were not present, and the majority of those present was only thirteen, a number much too small to draw any very decisive conclusion from, as to the opinion of the whole body. But he thought that the opinion of the House on the same question, on a former occasion, might not unfairly be brought as some weight against its present decision. In the year 1820 the House decided by a majority against the same measure which it now adopted. They had been told that capital punishments weighed upon the minds of juries, and induced them to acquit offenders whom they would otherwise convict; but he very much doubted the correctness of this statement, which was contrary to all his experience on the subject. If he entertained but little apprehension that juries would be influenced by such a consideration, he entertained still less apprehension that they would influence the minds of Judges, whose business and practice it was, to discharge their duty faithfully, looking neither to the right nor to the left, but examining what the law was, with a view to the due execution of it. Having stated his opinion upon the subject, he should leave it to the House to adopt or reject the alterations which he had recommended. The noble Lord concluded by moving to leave out the clause added in the Commons, by which the punishment of death was abolished.

The question having been put on the Amendment—

The Marquis of *Lansdown* said, that the noble and learned Lord, in stating the security afforded by capital punishments in the case of negociable securities, appeared unable to say how much of the security against forgery depended on that particular chance of the punishment of death being inflicted, and how much upon the precautions which bankers themselves had been able to adopt. If the noble and learned Lord admitted—and to some extent, after the statements made upon unquestionable authority, he must admit—that a certain portion of impunity for the offence of forgery was derived from the state of the law, which produced a disinclination in injured parties to proceed, he admitted the existence of a great evil, and one calling for legislative interference. Notwithstanding the noble and learned Lord's statement, he believed that not a few cases might be quoted in which judges and juries, acting under the operation of that feeling which rose above all law, had been deterred from the execution of what he might admit to be their duty. The noble and learned Lord had omitted to consider that it was on the indisposition of prosecutors that the difficulty of carrying the law into effect depended; and that if the Legislature wished to have a law executed, it must make it correspond to the feelings and sense of right of those who must become the necessary instruments of its execution. If it appeared that the proportion of convictions was different in capital and minor cases, it was impossible to account for the less number of convictions in the former, unless it was supposed that such charges were brought forward on weaker evidence than that by which minor crimes were substantiated—an impossible supposition—or unless it was admitted that there existed a greater reluctance to carry the law into execution, let that reluctance be divided as it might among Judges, Counsel, prosecutors, or jurors—in the one case than in the other. The noble Marquis referred to the testimony of Mr. Harmer, given before a committee of the House of Commons in 1819, on this subject, and observed, that the result of that evidence was, that many were led to the commission of crime, under the belief that prosecutors would not take steps to punish them when it was possible that a capital penalty might be inflicted. Mr. Harmer also stated, that persons who had commenced proceedings, finding the punishment to be death, and yielding to the natural feelings of human nature, frequently applied to be allowed to withdraw from prosecuting; and in cases in which it was impracticable to do so even went the length of tampering with their own witnesses in order to prevent convictions. Feeling a degree of anxiety to know whether Mr. Harmer still continued to entertain the same opinions on the subject, after ten years' additional experience, he had communicated with that gentleman, who forwarded him a statement, in which it was declared that the experience of ten years, so far from shaking, had confirmed his previously conceived opinions. Mr. Harmer observed that it was a matter of common occurrence for prosecutors and witnesses to resort to stratagem to favour the escape of a felon: and in order to effect this object, they frequently suppressed facts, or coloured circumstances. He also stated, that he had known prosecutors pay the amount of their own recognizances, and that of the witnesses, rather than persist in a capital charge. Mr. Harmer was of opinion, that the prosecutions for forgeries of Bills of Exchange did not equal the number of compromises; that convictions were considered uncertain from the known feelings of juries and witnesses; and that, if the punishment were less severe, there would be more prosecutions and convictions, and fewer compromises. He added, that he could not calculate within 100 the number of compromises which had taken place within his own knowledge; and referred to the case of a Judge, who had taken a great deal of trouble to cancel a bill, forged by a very worthless person, whom he had known as a school-boy, because the punishment was death; whereas, had the penalty been transportation, he would have allowed the law to take its course. He should consider it a beneficial consequence of the Bill, if noble Lords would turn their attention to secondary punishments, so as to substitute for the present penalties of that description, something that should have greater terrors, and be more effectual for the prevention of crime, than transportation. He had thought of proposing, as punishments for forgery, confinement in England under a particular course of management, or transportation to the Bermudas, where there existed means of more certain and severe punishment than elsewhere. The noble Marquis then adverted to the state of the law as affecting forgery in foreign countries, and observed with respect to Tuscany, which had been mentioned by the noble and learned Lord, that it was that State in Italy in which capital punishments were the least frequently inflicted, and yet where capital offences least abounded. In Tuscany, too, previous to capital punishments being diminished, offences were more frequent than at present; so that if any conclusion were to be drawn from the state of Tuscany, it was, that the rarity of capital penalties tended to diminish crime. In no part of the world was forgery less frequent than in the United States, in which, with the exception of one State, where executions for forgery occurred now and then, capital penalties had been completely done away with, and imprisonment for periods varying between seven and twelve years was substituted for them; imprisonment, partly solitary confinement, and partly combined with hard labour. All experience was in favour of trying the measure as an experiment, and it was only as an experiment that he proposed it. The noble Lord remarked that there was an inconsistency in excepting the case of forgery of wills, but he apprehended that the principle on which this was done was perfectly justifiable. The objection to capital punishments for forgery rested on the disinclination of parties to prosecute in ordinary cases, but such was the horror of forgeries of wills, that there was no objection to enforce the law against that infamous crime He must again refer to the petition of the three persons most conversant with negociable securities in this country, which had been presented on a former evening, to satisfy their Lordships of the advantage to be expected from doing away with capital punishments in cases of forgeries of Bills of Exchange. He must also contend that it was proper policy to have punishments commensurate to the nature of offences. He would repeat, that the great bar to justice was, that in the opinion of the public, the nature and extent of the punishment was at present not commensurate with the offence. He thought, then, their Lordships would best consult the interests of the commercial community—the interests of humanity and justice--by giving to the secondary punishment a fair trial for a limited period. If the Bill were agreed to in its present shape, considering the measure as experimental, he was desirous of introducing a clause to limit its operation to five years, so as to enable the Legislature to re-consider the principle of its enactments at the end of that time if necessary. He should certainly take the sense of the House on the subject of the clauses and the amendments proposed by the noble and learned Lord.

Lord *Wynford* craved their Lordships, permission to address them sitting, as indisposition had rendered him unable to stand without support. The noble Lord proceeded to speak from his seat, on one of the cross-benches, but in so low a tone of voice, as to be frequently inaudible below the bar. He observed, that the fear of death operated on minds which were insensible to degradation, and quoted the great increase which had taken place in the crime of stealing privately from the person since the capital penalty had been remitted. With respect to that offence, the possibility of a capital punishment, although seldom or never enforced, had a tendency to check a crime which, when the capital penalty was repealed, increased a hundred fold. He had no doubt, if capital punishments were put an end to in cases of forgery, that the offence would be rendered of much more frequent occurrence than at present. In all his experience, he had known no instance of prosecutors tampering with their own witnesses in order to facilitate the escape of felons; and had never witnessed any reluctance on the part of juries to convict, where there existed no reasonable grounds of doubt. As to Judges, he hoped they were as humane as other men. He was certain they were, and knew that no part of their duty gave them more pain than that part of it which was connected with the infliction of capital punishments; but, at the same time, he did not believe that any Judge had ever tampered with his conscience for a single moment in summing up to the jury, on account of the supposed severity of the law, nor could he contemplate the possibility of such a case occurring. Allusion had been made to the state of other countries, but no argument could be drawn from that, for what might be admirably adapted to the circumstances of one particular case or country might be entirely unsuitable to another. The noble Marquis had admitted that secondary punishments, as at present conducted, were extremely insufficient. In this he cordially concurred with the noble Lord, who, he trusted would bring his great talents to bear on the subject, with a view to remedy the defect. If any man could devise secondary punishments calculated to prevent crime, the noble Marquis was that individual, but it would be better to continue capital penalties till such substitutes had been discovered. They were at present discussing the proposition with respect to negociable securities; the noble and learned Lord on the Woolsack also proposed to continue the punishment of death in cases of forgery connected with the transfer of Stock. Whatever doubts he might have entertained as to other parts of the subject, he had none with respect to the transfer of Stock, when he considered the immense amount of property vested in that species of security, and the danger of encouraging depredations upon it by a mitigation of punishment. He had come down to the House without having made up his mind as to the way in which he should vote; but after having listened with attention to the arguments of the noble and learned Lord on the Woolsack, as well as to those of the noble Marquis, his decided opinion was, that the amendments proposed by the noble and learned Lord ought to be adopted.

Lord *Tenterden* said, the most painful part of his duty was that connected with the trial of individuals charged with the commission of capital offences, and he should be far from lamenting any alteration in the law which, consistently with the public good, should diminish the frequency of capital penalties; but he was bound, as a Member of their Lordships House, to state his honest opinion on the subject, which was, that their Lordships could not, without great danger, take away the punishment of death in those cases of forgery in which it was proposed by the alterations made in the Bill in the other House of Parliament to abolish it. He did not think, from his own experience, that individuals were less willing to prosecute in cases of forgery than in other cases. When it was recollected how many thousand pounds and even tens of thousands, might be abstracted from a man by a deep-laid scheme of forgery, it appeared to him that this crime ought to be visited with the utmost extent of punishment which the law allowed. He had never observed, in the case of prosecutions for this crime, any sacrifice of conscience by prosecutors in consequence of their own private feelings; and he might add, that he never knew juries take any other course than that which their duties prescribed to them. It was equally absurd to suppose that the Judge would step beyond the bounds of his duty in placing the evidence before the jury for their consideration. Why should he give any opinion more favourable than the evidence would warrant, when the Judge well knew that it was in his own power, at the proper time, if the circumstances of the case were favourable, to recommend the offender to mercy?

The Earl of *Eldon* considered this to be a most important subject. He had attended to the execution of the criminal law of this country during the whole of his professional life, for upwards of fifty years, even before he had the honour of being a Common Law Judge. But he might more particularly observe, that, for nearly twenty-five years, he was placed in the arduous and responsible situation of assisting his Sovereign in deciding on cases of life and death, when the Recorder made his periodical reports. He could assure their Lordships, that the most painful part of his duty, in the execution of that important trust, was that which related to cases of forgery. The duty was imposed on him, on the one hand, to look, with a careful eye, on the interests of society, and, on the other hand, to decide on what the interests of humanity and justice required, with respect to the persons who were charged with this offence. He could most conscientiously declare, that while concerned with the execution of that law, he never recommended that the law should take its course, except in cases where he was perfectly convinced that such severity was absolutely necessary. And he would, without hesitation, say, that if their Lordships did not agree to the Amendment of the noble and learned Lord on the Woolsack, it was his conscientious conviction that they would neither do that which was consistent with mercy nor reconcileable with justice. With respect to what had been said about the unwillingness of juries to convict, he must take leave to say that it did not rest on a solid foundation. In respect to juries, he might be allowed to observe, that the great benefit derived from them was this—and any man who had an experience of juries would bear him out in the statement—that they did, almost uniformly, and without hesitation, act in accordance with the obligation of their oath. Juries were willing to further the ends of justice; they would readily give their verdict; and they would, if they thought it proper, apply through their foreman for the extension of mercy towards the convicted party; but he believed, where the evidence was fair and conclusive, they never were unwilling to convict, acting under the sacred obligation of an oath. This offence should not be treated lightly, since the crime was generally committed by some one in whom the defrauded party placed the utmost confidence. In point of fact, in very many instances the crime could not be committed unless the individual injured had placed the fullest confidence in the offending party. If noble Lords would look to the public stocks in this country, they would see how easy it was for a criminal to commit a forgery, and to retire with the wicked profits he had made; and once out of reach, they must know how difficult, how all but impossible it was, to lay hold of him again. If, therefore, they remitted this punishment, they would sacrifice honesty to villainy, they would sacrifice to the cupidity of the abandoned that property which it was their duty to protect. No man living could feel a higher degree of pain than he did in speaking these sentiments. He could wish that a more merciful system of justice was calculated to have better effects for the protection of property, but the experience of a long life told him, that it would not have such an effect, and feeling thus, he most heartily agreed to the Amendment.

The question was then put on the Amendment for substituting the punishment of death in place of that of transportation for the crime of forgery, when their Lordships divided, For the Lord Chancellor's Amendment 77; Against it 20—Majority 57.

The House resumed—Bill reported, and ordered to be printed.

Lord *Holland* stated, that he would, in a future stage, with a view of putting his own opinion on their Lordships' Journal, move for the reinstatement of the clause which had been struck out.

HOUSE OF COMMONS,

Thursday, July 1.

Minutes.] The Common Law Fees Bill was read a third time and passed.

Petitions presented. Against the Increase of Stamp and Spirit Duties (Ireland), by Lord A. Hill, from Hillsborough:—By Mr. G. Moore, from St. Mark's, Dublin:—By Sir W. Wigram, from New Ross:—By Lord Forbes, from Longford. For a Repeal of the Stamp Duties on Deeds, by Sir T. D. Acland, from Trustees of Turnpike Roads. Complaining of Losses suffered by the Attack on Copenhagen in 1807, by Mr. Bransey Cooper, from Nathaniel Wathen:—By Mr. Dugdale, from the Chamber of Commerce, Birmingham:—By Mr. Marshall, from Manufacturers at Leeds. Against the Vestries Act (Ireland), by Mr. G. Lamb, from Dungarvon. Complaining of the Admiralty, by Mr. W. Whitmore, from Rowland Milner, late a Lieutenant of the Royal Navy. Against Suttees, by Mr. G. LAMB, from Prescot. For a Reduction of Duty on Molasses, by Sir M. S. STEWART, from the Chamber of Commerce, Greenock. Against the Additional Churches Bill, by Mr. C. N. PALLMER, from the Householders of St. Mary, Lambeth:—By Mr. LITTLETON, from Hanley and Shelton, and from Ralph Bourne. For the Abolition of Slavery in the Colonies, by Sir R. INGLIS, from Nafferton and Bainton.

ANSWER TO THE ADDRESS.] Lord F. L. Gower brought up his Majesty's Answer to the Address of Condolence. It was as follows:—

WILLIAM R.

"I receive with the sincerest satisfaction the loyal and affectionate Address of the House of Commons. The assurance that the House of Commons sympathises with me in my affliction on account of the death of my beloved Brother, his late Majesty, and that it justly estimates the loss which, in common with my faithful subjects, I have sustained by that sad event, are gratifying and consolatory to my feelings. The House of Commons may be assured that the first object of my life shall be to maintain inviolate the rights and liberties of my people, to support the national honour, and to promote the welfare of all classes of my subjects. W. R."

COLONIAL SLAVERY.] Mr. *Brougham* presented a Petition from the Anti-Slavery Society, agreed to at a Meeting composed, as the hon. Member observed, of some of the most distinguished persons in this country. The petitioners appeared before the House, he went on to say, on behalf of 800,000 of their fellow-creatures, doomed ed to wear the degrading bonds of slavery; and they complained, in language which, at the time the petition was agreed to, was considered scarcely adequate to the inconsistency of the conduct adopted by the Legislature with respect to its own resolutions. It was a singular circumstance, that the meeting at which the petition was agreed to was held on the anniversary of the passing of those celebrated Resolutions which, seven years before, were, on the 23rd day of May, agreed to by that House; and as some of the most eminent advocates of the abolition of slavery at that time thought those Resolutions did not go far enough, so those who agreed to the petition were of opinion that its language did not express fully their sense of what was required by the neglect of the colonists or the supineness of the Government. The petition, however, addressed the language of strong remonstrance to that House, and pointed out the manner in which its pledge had been fulfilled. Scarcely one of all the islands, whether governed absolutely by the Crown, or possessed of a legislature of its own, had complied with the wishes of the House, as expressed in those Resolutions. Tobago, indeed, had in some degree acted on the regulations respecting Sunday labour, and the corporal punishment of females: but the other islands had either only very partially adopted, or wholly evaded the wish of the House. He was not disposed, however, to go into any details on this subject then, because he felt it necessary to say that he considered himself bound to bring the whole question before the House in such a manner as to enable them to deal with it before the termination of the present Session; but he for one could not venture to appear before his constituents at the approaching dissolution of Parliament, if he failed to discharge his duty to them, to the West-Indians, and to the unhappy persons whose sufferings formed the subject of the petition.

Mr. *Keith Douglas* maintained that the statements of the hon. and learned Gentleman respecting the West-India legislatures, were unfounded; and observed, that it would have been proper in the hon. Member to reserve his attacks till the subject came regularly before the House.

Mr. *Brougham* declared that nothing could give him more pleasure than that it should be proved that the West-India proprietors had not sided with the colonial Legislatures, and that neither had resisted the wishes of the British people.

Petition to be printed.

THE COMMITTEE OF WAYS AND MEANS.—SUGAR DUTIES.] Sir A. Grant brought up the Report of the Committee of Ways and Means.

The Resolutions respecting the Sugar Duties, agreed to in the Committee, having been read,

Mr. *Bright* complained of the sufferings under which the West Indies laboured, and the disparity of the relief given to them with respect to the Sugar duties. and the relief given to the East Indies. He also complained of a duty being imposed upon the wastage of Sugar in bond, and hoped that a clause would be introduced into the Bill to remedy that evil. Upon the whole, he thought that the West-India interest had been exceedingly ill used, and the reduction of duty was altogether an advantage conferred on East-India sugar.

Mr. *Cutlar Ferguson*, while he felt as much as any man could feel for the sufferings of the West Indies, and admitted that they had been very hardly used, denied that, in the recent reduction of duty on East and West India sugar, any favour had been shown to the former, as compared with the latter. The contrary was the case; and he complained of the heavy duties which were payable on all descriptions of East-India produce.

The *Chancellor of the Exchequer* defended the course which he had pursued on the subject, and denied that there was the inequality alleged between the reduction of the duty on East-India and on West-India sugar. As to the duties on the wastage, alluded to by the hon. member for Bristol, to pay them could not be considered a hardship, as the duty was payable on the sugars when imported. It was an indulgence afforded to the trade, to permit the sugar to be warehoused before the payment of the duty in the King's warehouses, instead of compelling the payment of the duty in the first instance.

General *Gascoyne* complained of the manner in which the Resolutions had been brought forward at a late hour, when there were few persons interested in the subject present. He hoped that when the Bill was brought in, the House would compel the right hon. Gentleman to reduce the duties.

Colonel *Davies*, though totally unconnected with the West Indies, yet, as one of the great body of consumers, regretted that the Chancellor of the Exchequer had not thought it expedient to comply with what the discussion of the other night must have shown him was the evident feeling of the House on the subject.

Mr. *H. Davis* stated, that when the Resolutions were proposed that morning, it was in a House as full as the present, and in which were a great many hon. Members interested in the subject.

Mr. *C. Pallmer* observed, that the present was not only a fiscal question, but a political question of great importance. He was persuaded that the House was not aware of the extent of the distress in the West Indies. It was even a matter of doubt whether means could be found for providing food and clothes for the labouring population there. It was strange that the right hon. Gentleman had not consulted those who were interested on the subject, as to the best mode in which relief could be afforded. The question was, if the proposed reduction would effect the object which the right hon. Gentleman professed to have in view. He (Mr. C. Pallmer) denied that the reduction would effect it. He disapproved of the Chancellor of the Exchequer's former proposition; though it was but justice to say, that it had this peculiar feature—that the right hon. Gentleman would himself have been the greater loser by it. The great integrity of the right hon. Gentleman operated most injuriously on the West-Indian interest; and it would be much better for that interest, if a person more independently situated than the right hon. Gentleman were to propose measures for its relief. He complained of the disproportion in the reduction of the duties on West and East Indian sugars. The reduction, he said, would not give any relief to the West-Indian planters. He thought that the reduction in the duty, to produce any beneficial effect towards relieving the distress of the West-India colonies, should be carried still further. He was of opinion, too, that the duty on sugar should be extensively reduced in Ireland, and he was sure that an experiment of the kind would be attended by a considerable increase in the consumption of that article there. The consumption of sugar at present in Ireland amounted to only four pounds for each individual; while the consumption in England was twenty-two pounds for each individual. He thought they should take off 15*s*. of the duty on sugar in Ireland. The hon. Member contended that the reduction should be carried at present to the extent of 5*s*. instead of 3*s*, and he called upon the Representatives of the manufacturing and shipping interests, to support him in enforcing on the right hon. Gentleman the duty of revising his Resolutions, by granting a greater reduction of duty to the West-India planter. He concluded by moving as an Amendment, that 22*s*. should be substituted for 24*s*. in the first Resolution.

Mr. *Huskisson* said, that in order to have a more extensive consumption of sugar, they must make a considerable reduction in the duty. The present measure would not, in his opinion, create such an increased consumption as might have the effect of improving the public revenue, or of giving adequate relief to the planter. This he could only receive by such a reduction as would remove the glut that now existed in this country, and compelled the planters to sell at a depreciated price. It was quite true this reduction of 3*s.* in the duty would reduce the revenue 450,000*l.* if there were not a great increase in the consumption. But upon this he was not very sanguine, while he was well convinced, that if 7*s.* had been taken off, there would be an increase in consumption which would leave the revenue very little impaired by the boon granted to the West Indies. The contrary would, he feared, be the result of the finical reduction proposed by the right hon. Gentleman. He had intended to have moved last night that this reduction should be carried to 7*s.*, but after the decision which then took place, it would be only wasting the time of the House were he now to press the matter further, although he was persuaded it would afford an early and substantial relief to the planter. As he was upon his legs, however, he wished to remark to the right hon. Gentleman, that the reduction in the duty of molasses was not proportionate to that on sugar. When the duty on sugar was 30*s.*, that on molasses was 10*s.*: that on sugar was now 24*s.*, while the duty on molasses was 9*s.* Thus there had only been a reduction of 1*s.* on the latter, which was certainly not proportionate to that made upon the former. There was one other subject to which he wished to advert. He understood there were parties who thought that after next Monday, when the law should have expired, they could enter sugars without paying any duty at all. He trusted they would be deterred from the attempt, as it must involve them in a contest with the Government.

Mr. *Baring* supported the original Resolutions; he thought, that until they witnessed the effect of the reductions already made, it would not be prudent to proceed further.

Mr. *Maberly* concurred with the right hon. Gentleman (Mr. Huskisson) in thinking, that unless there were a greater reduction there could be no hope of an increased consumption.

The House divided. For the Amendment 23; Against it 68—Majority 45. Resolutions agreed to, and Bill, accordingly, ordered to be brought in.

SALE OF BEER BILL.] The Chancellor of the Exchequer moved the third reading of this Bill.

Mr. *Western* rose to express his doubts respecting the soundness of the plan the right hon. Gentleman proposed to carry into effect. He concurred in the principle of the Bill, and had voted for the second reading, but it was in the hope that such Amendments would have been made in the Committee as might render the measure more satisfactory to the country. He had been disappointed in this, and was consequently induced, even at this late period, to throw out a suggestion to the right hon. Gentleman. He had two objects in view—one, to have a perfect and uncontrolled sale of Beer; and this might be effected without the imposition of any restrictions whatsoever. The second object was, to break down the monopoly of the publicans and brewers. Now, although there were to be no restrictions on the sale of beer, he thought that the granting of licenses for the opening of houses ought to be secured by certain guards and precautions. And, strongly, impressed with this feeling as he was, he should submit a clause to the House, which might, he trusted, have the effect of preventing the establishment of alehouses by improper persons, or in situations where they would be nuisances. [The hon. Member commenced reading a clause, but Mr. Speaker having informed him that he could not move it at this stage of the proceeding, the hon. Member intimated his intention of moving it by way of rider after the third reading.]

Mr. *Estcourt* did not approve of the Bill. It did not seem to him to afford to the labourers any greater facility than had been before afforded by the public-houses for carrying home beer to their families. He believed that the result in practice would be found to be, that each of the houses would become a common pot-house, and tippling would be extended all over the country. He was decidedly opposed even to the principle of this Bill, and should therefore move as an Amendment, "That it be read a third time this day six months."

Mr. *Baring* wished to say a few words on this question. In the course of the progress of this Bill through the House he had voted against it in every stage, although he had not hitherto troubled the House with his reasons for so doing. Several clauses had already been adopted to mitigate the severity of this Bill on those two essential points—the injury it would inflict on individual property, and on public morals. He objected, however, to the principle of the Bill itself—first, because it would occasion a loss of three millions to the revenue, with as little relief in particular quarters as could be effected for them. With the same diminution of revenue, he thought the public, especially the labouring classes and their families, might be more benefitted by taking off the duty on coals, candles, soap, tea, and sugar, especially the last, which, while it would make up the difference to the revenue, by the increased amount of consumption would benefit a particular interest that was now acknowledged to be much distressed. He thought that it was not possible, with the same loss to the revenue, to give less relief to families than by this beer Bill, which would, in reality, only benefit the frequenters of ale-houses, not their families. The main relief would be to the tailors, shoemakers, and artizans of manufacturing towns, and they were not a class whom the Legislature ought to go out of its way to benefit; for they were the men who met in public-houses and combined against their masters, and it was by their clamours that the House had been misled into this measure. It would be no relief to the labouring peasantry who did none of these things. He had another objection to the Bill, from the effect it would have in destroying that control which country Gentlemen now exercised so beneficially in their character of magistrates, over the poachers and other frequenters of public-houses. If the wants of the country required more public-houses, the Magistrates had now the power of increasing the number of them; and on all these grounds, therefore, he should cordially second the Amendment.

Mr. *Harrison Batley* was of opinion, that the mere increased consumption of beer would only produce an increase of immorality, especially in large and populous towns, one of which he had the honour to represent, and from the Magistrates of which he had already presented petitions against this Bill. He agreed so far with the principle of the Bill that he wished a cheap and wholesome beverage to be secured to the labouring classes, but he did not believe that that would be the effect of this measure, which would only increase the quantity of beer consumed by men away from their families. There were complaints at this moment of wages being paid at the public-house; and he thought that, if this Bill were passed, it would increase the evil.

Mr. *Liddell* was in favour of the Bill, and believed it would in the end, effect all that was anticipated from it; but though, it ought perhaps, to pass at once, time ought to be given to the brewers to improve the beverage they sold to the public. He did not think it would increase the amount of immorality in the country, but that, on the contrary, it would diminish the consumption of ardent spirits, which destroyed at once the health and the morality of the labouring population. From the extensive and important county he represented, he had received no letters or remonstrances against this Bill; and though some petitions from the Licensed Victuallers there had been presented against it, he believed it had the approbation of the Local Magistracy of that county. There might be a few differences of opinion with respect to the Bill, but there was no doubt it had been introduced with the best intentions. It was an experimental Bill, and might, if not found to answer, be modified according to circumstances.

Mr. Alderman *Waithman* expressed his dissent from the present Bill. The Ministers had been misled by the strong opinion expressed in favour of the measure; and though he believed them to be mistaken, he thought they deserved commendation rather than blame, for they had introduced this Bill in conformity to public opinion, expressed as it had been, pretty strongly in this and the other House of Parliament. Still, he thought that three millions might be cut off from taxation in such a way as to be more beneficial to the public than by this Bill.

Colonel *Davies*, with reluctance, should vote against the Bill. The hon. member for Callington was wrong when he talked of this Bill reducing three millions of revenue. That would be the effect of the Bill to reduce the beer-duty, not of this, which only went to regulate the trade in beer. He did not think that this Bill would put an end to the brewers' monopoly in London; and in the country it did not exist, for every one brewed his own beer there. He objected to the measure because it held out an inducement to the artizan and manufacturer to leave his family, and to spend his time in public-houses.

Mr. *C. Barclay* said, that he should be sorry if the Bill were not passed, because, in that case, the Chancellor of the Exchequer would be unable to complete his promised measure for lowering the duty on beer. If it were not lowered, the brewers and publicans in the country, even under the present system, would soon have no trade, for their business had already greatly decreased. The diminution in the last year was to the extent of about 600,000 barrels, and the wholesome beverage of beer was in many places superseded by spirits, and other articles of an injurious kind. Hence, in future, the value of public-houses in the country would be comparatively trifling. The opponents of the measure put entirely out of view the increased trade to be derived from an alteration of the duty, and here the country brewers would have an important advantage, for they would of course have the supply of the beer shops. He put his own interests entirely out of the question, but he did not believe that it would affect the London brewers and publicans in the same way that it would injure those of the country. While he gave the Chancellor of the Exchequer credit for selecting the beer-duty as that which should be reduced, he thought that time ought to be allowed, as in the case of the Silk-trade, for accomplishing the change. He should, therefore, support with pleasure the proposition of the hon. member for Abingdon, but he could not approve of that of the hon. member for Oxford, which had for its object entirely to defeat the plan.

Mr. *W. Smith* feared that one effect of the bill would be to deluge the country with small public-houses. This of itself would be a great evil, considering the demoralizing consequences of having the poor man seduced from his family; it was to be recollected also, that if this measure were to improve the article, by destroying monopoly, the better the beer was made the greater would be the temptation. Under all the circumstances, he was somewhat embarrassed how to vote, knowing the vast injury that must be done to private property, and the advantage that would accrue generally to the country from the repeal of three millions of duties. On the whole, however, though it was with reluctance, he would give his vote for the Bill.

Sir *T. Acland* supported the Bill, because he thought it calculated to do great and general good. The Amendment would stultify the House, by showing the public that, after all the discussion the subject had undergone, and after the perfection to which the measure had been brought, it was found all at once that it ought not to be adopted. It was true that it might do harm, but that harm would be much or little, according to the manner in which the Bill was brought into operation; and as he was of opinion that Parliament would be proceeding at too rapid a pace if it passed the Bill in its present shape, he should vote for the Amendment of the hon. member for Abingdon, when that was proposed.

Mr. *Herries* denied that Ministers had been influenced by clamours from any quarter in recommending this measure to Parliament; they had acted solely from a clear and strong sense of duty, and a conviction that the lower orders were entitled to this degree of relief. He was confident that the beer-trade generally, instead of being injured, would be extensively promoted by the change; and he expressed his astonishment that any hon. Member should object to the Bill on the ground that it would make beer cheap, which was if not a necessary, next to a necessary, of life. Public-houses and a monopoly of beer tended to destroy both morals and health, and to allow beer to be obtained freely and cheaply would rather check than promote the increase of vice.

Mr. *C. Calvert* looked upon this Bill as a measure of great severity and oppression, and he said so, not as a brewer, but as a Member of Parliament; for he had never given a vote in his life from selfish motives, or because his interests would thereby be promoted. He felt painfully convinced that most of those with whom he had acted all his life would be half ruined by the Bill before the House; and among other Amendments he should propose the following addition to the title of the Bill: he would call it—"An Act for the increase of drunkenness and immorality, and to afford great facilities for the sale and consumption of smuggled spirits."

Colonel *Sibthorp* fully concurred with the hon. Member who spoke last, that the

Bill was most oppressive; and it was, therefore, his duty, and the duty of those who thought with him, to oppose it in every stage. Sure he was, that it would little recommend Ministers to the confidence of the country, and it would ruin many who had valuable vested interests. He hoped, when they found that the general disposition of the House was against the Bill, that they would abandon it.

Mr. *Benett* was surprised that such an Amendment had been brought forward, without any notice, to defeat two measures in one—one for a free trade in beer, and the other for lowering the duty upon it. He did not see how it necessarily followed that an increase in the consumption of beer would produce an increase of intoxication. It seemed to him that it would only place a wholesome and nutritious beverage within the reach of the labouring poor, who most needed it. The number of beer-shops would tend to keep the lower orders from the public-houses, and thereby promote both morality and comfort.

Mr. *Maberly* objected to that part of the Bill which allowed the sale of beer on the premises. He did not deny that the principle of the measure was just, and that it was fitting and right to get rid of all restrictions on trade, and to do away with all monopolies; but he contended, that the Government had not given the publicans fair warning of its intention to overthrow the monopoly in beer so suddenly. In the case of the linen-trade and the fisheries, ten years had been allowed, and as he was satisfied that great injustice would be done by the passing of the Bill in its present shape, he should certainly, on the third reading, move a clause, to allow two years to elapse before beer could be drunk on the premises.

The *Chancellor of the Exchequer* said, he should certainly not fall into the snare spread for him by the hon. member for Abingdon (Mr. Maberly) by going into a discussion on the clause before it was submitted to the House. He confessed, however, he felt surprised at the course taken by the hon. member for Oxford (Mr. Estcourt), after all the discussions the Bill had already received, and after the principle of the Bill had been for three months under consideration, and sanctioned by repeated majorities. The principle of the Bill was not then under consideration, and therefore he should not enter into that part of the question; but he might say, that if they were to abandon a bill which was expressly intended to benefit the labouring classes, and which those classes had anticipated so long, he thought they would lay themselves open to the contempt of the country. He denied that the objection of the hon. member for Abingdon with respect to the publicans having had no warning, was a just one. They had received repeated warnings, by the several bills, such as the bill relating to the brewing of beer on a man's own premises, which had been, from time to time, passed with a view of gradually putting an end to the monopoly. The maltsters would have as good reason to claim compensation for losses sustained by the reduction of the malt-duties, because they had large property in malt-houses, as the publicans had now to complain of the opening of the trade in beer. It was said that there had been no warning, but that was not the fact. The trade had been gradually opened, and the Acts of 1823 and 1828, which did this to a considerable degree, had been attended by the most beneficial effects. A great increase of houses for the sale of beer had taken place in various places; and so far, therefore, from the measure for opening the trade having injured the publicans, they had extended and improved it. In conclusion, he hoped the House would not, in the last stage of the proceeding, disappoint the hopes and expectations of the people.

Mr. *Maberly* suggested to the hon. Member (Mr. Estcourt), that he should postpone his division till the question was that the Bill do pass.

Mr. *Estcourt* expressed himself willing to take the division either now or at a future stage.

Sir *R. Vyvyan* was of opinion that the Chancellor of the Exchequer had no reason to find fault with those who claimed time to discuss the question. The Bill affected the whole community. Many petitions had been presented against it. All the Magistrates of the country were interested in it, and he, therefore, thought that it had not yet been sufficiently discussed. He opposed the Bill, and defended the County Magistrates. Some might have behaved corruptly, but was that a reason for stigmatizing the whole body? The hon. Member complained generally of the attacks made on the old constitutional forms of government, which, he said, was tending to bring the aristocracy to ruin. If the member for Oxford divided the House, he would divide with him; but he would recommend him not to press his opposition to a division.

Mr. *Brougham* thought it would be most expedient if the member for Oxford would not press for a division, which might endanger the whole Bill, but allow the Motion of the hon. member for Abingdon to be first put. He was happy to congratulate that hon. Member on the progress they had made, which, when they first took this business in hand, they could hardly calculate on. Having said this, he would state why he should oppose his hon. friend's clause. He had observed that every respite of the kind his clause proposed, every notice, every warning given to traders, when it was proposed to alter the law, had been useless; the warning had been thrown away, the respite had been barren, and had rather tended to make the mischief greater than diminish it. The fact was, that such warning seemed to make people increase their business rather than lessen it. For that reason he should oppose the hon. Member's clause. He could not understand the argument of his hon. friend, the member for Southwark, who stated that increasing the number of houses for the sale of beer only would facilitate the use of contraband spirits. He thought that licensing houses to sell beer, and nothing but beer, would have no such effect. His opinion of the Bill was the same then as at first. He considered it a great and an important improvement in the law. They were then at the commencement of July; they had sat a long time, they had discussed a great number of questions; they had heard a great many speeches from Members who did not often speak in that House; but, after all that had been said, this, he believed, was almost the only measure of relief which was likely, during this long and busy Session to be brought to a successful conclusion.

Mr. *C. Calvert* explained, that the houses licensed to sell spirits were subject to examination; but the houses licensed to sell only beer, not having spirits to sell legally, would obtain them for their customers, by buying smuggled spirits He had applied his remark only to the counties of Kent, Surrey, and Essex, in which contraband spirits were now chiefly landed and consumed.

Sir *Edward Knatchbull* would support the Bill if he thought that it would be a benefit to the poor. But not thinking that, he could not support it. He should prefer to see the taxes on coals and candles removed rather than the tax on beer. He would support the clause recommended by the hon. member for Abingdon, and recommended the hon. member for Oxford to withdraw his Amendment.

Mr. *Estcourt* said, that he would not press his Motion to a division.

The Bill read a third time.

Mr. *Maberly* moved a clause, by way of rider, to postpone for two years the permission to allow beer to be drunk on the premises where it was sold.

The clause was brought up and read a first time. On the Motion that it be read a second time—

The House divided—For the Clause 91; Against it 133—Majority 42.

List of the Minority.

Acland, Sir T.
Astley, Sir J. D.
Attwood, M.
Bankes, Henry
Bankes, William
Barclay, Charles
Baring, Alexander
Baring, W. Bingham
Bastard, G. P.
Batley, C. H.
Bell, M.
Bentinck, Lord G.
Birch, J.
Bright, H.
Burrell, Sir C.
Burrell, W.
Byng, G.
Calvert, Charles
Calvert, Nicholson
Capel, John
Carter, J. B.
Cavendish, Lord
Cavendish, Colonel
Chaplin, T.
Clive, Edward
Cooper, R. Bransby
Corbett, Panton
Cotterel, Sir J. G.
Cust, Hon. Colonel
Davies, Colonel
Dick, Quintin
Dick, Hugh
Drake, T. T.
Drake, W. T.
Dugdale, D. S.
East, Sir E. H.
Eastnor, Viscount
Egerton, Wilbraham
Estcourt, T., junior
Evans, Colonel
Fitzroy, Lord Charles
Fleming, J.
Foley, Edward.
Freemantle, Sir T. F.
Fyler, T.
Gordon, Robert
Greene, T.
Heathcote, Sir Wm.
Hume, Joseph
Inglis, Sir Robert
Kerrison, Sir Edward
King, Sir J. D.
Knatchbull, Sir Edw.
Knox, Hon. J.
Loch, John
Lygon, Hon. Colonel
Manners, Lord C.
Manners, Lord R.
Marjoribanks, S.
Martin, J.
Monck, J. B.
Mundy, Francis
Nicholl, Sir J.
Onslow, Serjeant
Palmer, Robert
Peach, N.
Pigott, Grenville
Poyntz, W. J.
Ramsbottom, J.
Rogers, Edw.
Rose, Sir G.
Rose, Captain
Rowley, Sir William
Scott, Hon. William
Sebright, Sir J.
Seymour, Henry
Sibthorp, Colonel
Slaney, R. A.
Smith, William
Strutt, Colonel

Thompson, Alderman
Vyvyan, Sir R.
Waithman, Alderman
Ward, W.
Wells, J.
Wetherell, Sir C.
Wigram, William
Williams, Owen
Wilson, Colonel
Wodehouse, E.
Wood, Alderman

TELLERS.

Maberly, John
Ridley, Sir M. W.

PAIRED OFF.

Buxton, T. Fowell.
Dickinson, D.
Gurney, Hudson

SHUT OUT.

Easthope, John

Mr. *Estcourt* maintained that the Bill, as it stood, would abrogate the rights of the publicans over the whole kingdom. He moved the introduction of a clause to limit the operation of the Bill to such parishes as contained more than 300 houses.

Sir *C. Burrell* characterised the Bill as a mistake in legislation. It would diminish the revenue without affording relief in any quarter.

Mr. *Wells* said, if carried into effect, it would produce riots in villages that were destitute of a police.

The *Chancellor of the Exchequer* said, that the effect of the clause proposed would be, to destroy the Bill altogether. In Lincolnshire there were 688 parishes; in Norfolk, 694 parishes; and in both of these counties, there were not above twenty-seven parishes that could avail themselves of the provisions of the Bill, if the clause of the hon. Member were carried. In Wiltshire there were 317 parishes, out of which only eighteen would be able to avail themselves of the provisions of the Bill.

Colonel *Sibthorp* supported the clause. There were now nearly 200 public-houses in the city of Lincoln, and was the right hon. Gentleman prepared to say that the number was not sufficient?

Mr. Estcourt, in accordance with the wishes of his friends around him withdrew the clause.

Mr. *Greene* suggested the propriety of adding a clause for the continuance of the fine of 5*s*. in case of drunkenness.

Mr. *Brougham* looked at such a clause with suspicion, as it was only fining a man for getting drunk on beer, and omitting all penalty for those who tippled on claret and champaigne.

Sir *R. Inglis* said, the hon. and learned Gentleman ran the same risk as any other if he put himself in that situation which came within the letter of the Act, whatever might be his liquor.

Mr. *Brougham* congratulated the University of Oxford in being so excellently represented. Dr. Johnson, on being asked which University was best, had said that he believed an equal quantity of port was drank at both. Could the hon. Baronet give one instance where a Member of Parliament had been fined for drunkenness? If so, he would say nothing against the Amendment.

Sir *R Inglis* said, that if the hon. and learned Gentleman would put himself in such a situation, and be so brought before a Magistrate, he would ensure his being fined.

Mr. *Brougham*, complained that the hon. Baronet was seducing an innocent young man from his habits of sobriety by his observations.

The clause negatived without a division.

On the question that the Bill do pass,

Mr. *Monck* said, that he must again repeat, that he did not see any necessity for the free sale of beer, or that it should be drunk on the premises.

Mr. *C. Calvert* said, that the state in which the licensing system was left by this Bill was cruel in the extreme.

The Bill passed without a division.

LABOURERS' WAGES BILL.] The Order of the day having been moved for the resumption of the adjourned debate upon the Amendment proposed to be made to the motion of the 23rd of June—"That this House do agree with the Committee in the first Amendment made by the Committee on the Bill;" which Amendment was, to leave out from the word "that," to the end of the question, in order to add the words, "the Bill be re-committed" instead thereof;

Mr. *Hume* wished to submit to the hon. Member (Mr. Littleton) whether, after the hour of twelve, taking into consideration the state of the Session,—when his Majesty's Ministers had agreed to postpone all bills of public importance—the House could in fairness, proceed to this discussion? He would ask the hon. Member whether this were not a bill of the very greatest importance to the public, and to the country at large? and whether it would not be better, in order to do justice between the master and the servant, that this Bill should be discussed when the House was in a condition to consider the subject? The days on which the Bill had been discussed were Wednesdays, when there was scarcely a fair debate. He wished the House also to consider what it was called upon to do; viz. to violate the principle which it had professed to follow, that of leaving a perfect freedom of action between man and man. Here was a law which actually made it penal to save a man from starvation! A law, opposed to every correct principle of legislation. But he had not the slightest idea that this Bill was to come on to-night; and under that impression, though he had had the documents by him for these last ten days, he had sent them away, thinking that only the three bills mentioned by the right hon. Secretary would be considered. He would ask the right hon. Secretary, whether this was passed over as a bill of no importance?—and if it were a bill of importance, why it was not named and stated among those which were to be discussed prior to the dissolution of Parliament? Had it been so specified he should have been prepared to meet the hon. Member on the merits of the Bill. To refer for a moment to some of the hardships attaching to this Bill. Why, he would ask, should the manufacturer of wool be prevented from making any arrangement with his labourer as to the mode of paying him? Why should a restriction be laid particularly on him, while similar transactions were tolerated in other parties? The very principle of the Bill was objectionable, for why should the workman not have the option of getting employment upon the condition of receiving his wages, or part of them, in goods? By that Bill the House was interfering between men who ought surely to be free to transact their business as they pleased, at least, so far as to leave the labourer the option of receiving his remuneration in goods or in money; the House had no right to interfere in such cases. He would move, that the consideration of the Bill be adjourned to that day month; and he would candidly avow, that he did so in order that the Bill might be passed over until the meeting of the next Parliament, when full time might be had to discuss the various points which it embraced. For his part he must say, that there had never been a measure before the House on which he had formed a more decided opinion. If the Bill passed, from the day on which the master could not pay his workmen in money, they must, of necessity, be set adrift. A bill of this nature was opposed to every fair principle,—and those who advocated such a measure, while they pretended to be favourable to free-trade, could have no claim to consistency of opinion. He was sorry that the right hon. member for Liverpool (Mr. Huskisson) was not in the House, as he should like to hear his opinion on the subject. To him it appeared, that in a case of mutual understanding between master and servant—in a case where no violence was used, and where the advantages were quite reciprocal, no power should be used to disturb or to nullify such engagements. By this Act, the House was called on to repeal those former measures which had been found to work well; and the manufacturer in calico or wool, for instance, was to be told, "You shall not be able to give your labourer a credit upon your grocer." You must not say to the tradesman, "Give this poor man a supply of necessaries to prevent him from starving." The penalty for the first offence of that kind would be a fine; and for the third, the Magistrate must convict the party of a misdemeanour. The Bill was an insult on legislation, and an outrage upon all equitable rules; and if allowed to pass, it would stultify the proceedings of the House. It so operated, that at a time when money could not be obtained, the manufacturer must throw men out of employ because he dared not pay them in goods; and he knew that in those districts where the system prevailed, this wretched, illegal, and improper interference on our part would be productive of the greatest distress. Upon these grounds, he begged the hon. Gentleman to delay proceeding with this Bill until the meeting of the new Parliament.

Mr. *Littleton* complained, that the hon. member for Aberdeen had hardly acted fairly by him, for he did not expect, when he acceded to the recommendation of that hon. Member to have the Bill recommitted, that any advantage would be taken of his consent. Upon that occasion, he gave the hon. Member notice that he should move the Bill from day to day; and the delay had been solely caused by complying with his request. He therefore hoped that the House would not object to the re-committal of the Bill, as every Gentleman would then have an opportunity offered him to state his opinions.

Mr. *Alexander Baring* would not go into the principle of this Bill, but he put it to the House, whether, consistently with the various considerations which now pressed upon it, it could proceed with that Bill. To him the question appeared to be, whether, in the present state of public business, and of the country, the House could venture to proceed with a subject which involved matters of the deepest importance to the whole manufacturing interests of the country. It seemed that there were already twelve or thirteen Statutes enforcing the payment of wages in money; and that the House objected on good grounds to the existing system. When the question was first propounded to him, he was anxious to look at it in all its different characters and bearings, and then he thought it had better not be urged forward. When he considered, however, that the independence of the labourer was so intimately connected with, and so much affected by, the present debasing system, he concluded that it would be worth while to make the experiment, and enforce the payment of wages in money by some new enactment. At present one of the evils was, that the honest trader was injured materially, and the masters and men were always disputing and quarrelling.

Sir *Robert Peel* observed, that the hon. member for Aberdeen had asked him, why he did not include this among the bills to which he had on a former occasion referred. When he had spoken the other night, it was of the bills the Government meant to carry forward; and it came to that resolution because, if those bills were not passed, it would leave the country in a worse state than before. The truck-system, as had been said by an hon. Member opposite (Mr. Baring), had a tendency to debase the labourers, and was objectionable because they alone who adopted it were benefited by it; although they obtained that benefit by evading the operation of the law. He knew that the hon. member for Aberdeen was an able advocate for the poor man, but he could not go the whole length with him in his argument. The hon. Member said, that every man was the best judge of what was for his own interest, but that maxim had been carried into execution in reference to the passengers who were allowed to go out to Canada; and the House must recollect the horrible scenes which ensued in 1828, and which compelled the House to limit the numbers, and to lay down rules to prevent a too great number of persons from following in this particular what they might consider their best interests. With regard to these poor workmen, it would be, he thought, better to take them under the protection of the Legislature, and rescue them from their present state of degradation than leave them to be the prey of the truck-master. He believed that it was wise to repeal the Combination-laws; but when the hon. Gentleman said that unmixed good had arisen from that step he went too far. In the manufacturing districts, committees were formed, and a system existed of preventing men from working except at a certain rate of wages. It was not, he admitted, against any provisions of the law that such committees were formed; but although they did not openly dictate the rate of wages, yet they had amongst them an understanding upon that subject, and persons were appointed as spies, to ascertain that no one worked for less wages than that which was agreed upon in the committee. By this means, although in an indirect manner, a system of intimidation was kept up; and an evil was created very difficult to guard against. The hon. Gentleman said, that there had been no discussion upon this Bill, and yet he had heard him deliver what he regarded as a very able speech, which lasted not less than three quarters of an hour, in which he advanced many arguments against the principle of the Bill. He could not understand why any hon. Gentleman should not be able to compress all which it was necessary to say upon the principle of a bill of that kind, within a speech of three quarters of an hour. Some of his hon. friends near him said that the hon. Member's speech occupied an hour and a half. At all events, whether the hon. Member spoke an hour and a half, or only three quarters of an hour, he had occupied time enough to say all that was necessary upon a bill of this kind. [Mr. Hume admitted that he said all that he wished:] Then why require a postponement? Surely there could be no use in travelling the same ground over and over again, when all argument was exhausted. When the House came to a decision on the principle of this Bill, there were forty Members on one side, and only four on the other—a sufficient indication of the feeling of the House upon the subject; and as it was highly desirable that the measure should be carried through before the close of the present Session, he hoped it would be allowed to go through that stage to-night.

Colonel *Davies* did not mean to occupy the House for an hour, or for three quarters of an hour, as all he wished to say was, that he regarded this Bill as erroneous in principle. The hon. member for Stafford admitted that there would be no objection to a workman purchasing goods at his master's shop, provided he were first paid in money. If that were to be allowed, what good could possibly arise from the man's having been paid in money? He would still have goods of an inferior quality palmed upon him at a high price, and, consequently no advantage could possibly result to him. But not to occupy the time of the House at that late hour, he would only say that the whole question appeared to him to be of such serious importance, that it required some further consideration; and he agreed with the hon. Member behind him, that it should be allowed to stand over until the next Session. In his opinion, also, a committee should be appointed to inquire into the whole subject.

Mr. *Huskisson* was not to be induced at that late hour to answer the appeal which had been made to him by the hon. member for Montrose; but he wished to observe that he should not be acting inconsistently with his former conduct, by lending his support to the present measure. The answer which had been given by his hon. friend to the observations of the hon. member for Montrose was quite sufficient to show the House that the principle of the Bill was good, and therefore, he should not think it necessary to enforce what had been said, particularly as the motion then before them was only to re-commit the Bill. He would only observe that it was possible that the hon. member for Montrose, who was, he believed, about to become a candidate for the county of Middlesex, had himself forgotten his principles of free-trade, when he voted that very night for a restriction on the trade in beer. The hon. Member had that evening opposed a measure, which he as the friend of free-trade, had uniformly supported. The hon. Member must permit him therefore, to set his vote for a free-trade in beer, against the hon. Member's vote on that Bill. As the hon. Member for Stafford had well said, he thought that the House was bound to protect those who hitherto had not been free agents, and who, as the weakest part of the community, had the greatest need of the protection of the law. For this reason he thought it was incumbent upon the House to carry this Bill through before the close of the present Session.

Mr. *Warburton* would venture to say, in vindication of his hon. friend the member for Montrose, that in supporting the motion of the hon. member for Abingdon that evening on the Beer bill, he was in no degree influenced by the fact of his having determined to become a candidate for the county of Middlesex He should be ashamed of his hon. friend, if after such uniform consistency through so long a period, he should now change his sentiments for such a cause. He hardly knew what course to pursue on the present occasion. If another opportunity was to be afforded in the present Session for discussing the principle of the Bill, he should make no objection to its going through the present stage; but if that was not to be the case, he should certainly then oppose it, as he was anxious to state his opinion as to what he thought would be the operation of the Bill. Although his hon. friend had an opportunity the other night of expressing his opinion upon this question, yet it was then so late, and the impatience of the House so great, that scarcely any other persons was allowed to say a single word. He agreed with the hon. member for Worcester, that if ever there was a bill which ought to be referred to a committee to examine evidence upon it, it was this: As he hoped, however, that another opportunity would be afforded for discussing it, he would not then enlarge upon the subject.

Mr. *Maberly* could not pass over without remark the insinuation which had been thrown out, that his hon. friend the member for Montrose, had in some degree abandoned his principles, or deserted his consistency, in supporting the motion for extending the time when the Beer-bill should come into operation. Surely his hon. friend had a right to give his vote on such a clause, without being accused of turninground and offorsaking his principles. Since he had been in that House he had voted upon every question of free-trade as steadily, and perhaps more steadily, than the right hon. member for Liverpool. That right hon. Member had always laid it down as a sound principle that there should be no interference between master and man; but it was that very principle which this Bill proposed to set aside.

Mr. *William Smith* said, that throughout the whole of his life, he had paid as much attention as any man to the principles of the measures brought before the House, and he did not think it was any objection to a measure, to say that it was at variance with some principle of political economy. If any man would find him any one principle of political economy which was not disputed, he should be very much obliged to him. He meant not to treat the science with the slightest degree of disrespect; but, certainly, he must repeat that he had never heard any principle advanced, except moral principles, (and he had some doubts whether they would not admit of exceptions) he had never heard any principle of political economy advanced which was not subject to objection, and he had even heard of many which men were dogmatically told to follow, though they were not susceptible either of an exact definition or proof.

Mr. *Hudson Gurney* did not pretend to know anything of principles, nor did he intend to argue upon them. What he wished to observe was, that the Legislature had already passed a number of laws against the truck-system, which were found insufficient to remedy the evil. He would leave them all exactly as they were till the next Session. He admitted that the hon. member for Staffordshire had made out a case of great oppression, and he had no doubt that many grievances still existed, but, at the same time, he could hardly bring himself to assent to the propriety of some of the clauses contained in the Bill which the hon. Member had brought in. One of the clauses went to make that penal which, under the present circumstances of the country, should not, in his opinion, be entirely prohibited. This Bill went not only to prevent that species of truck which the hon Member described, and which consisted in the masters paying the labourer, not in the necessaries of life, but in commodities which he was obliged to hawk about the country; it also went to put an end to that other species of truck which consisted in masters paying their workmen in food or clothing. That was going too far. There might be circumstances under which the employer might be able to support a number of workmen, paying them in this way when money was scarce with him, and as those workmen would get nothing, except they were employed in that way, it would be as injurious to them as to the employer that such an enactment as that contained in this Bill should become a law. Under these circumstances, it would, in his opinion, be better to leave the law as it now stood until the next Session of Parliament, when the subject might be fully discussed, and maturely considered.

Sir *George Philips* was quite confident that very great oppression existed among the workmen in many of the manufacturing districts; and if he could suppose that the measure before the House was adapted to give them relief—without producing more evil than good,—he should be ready to give it his entire and cordial support. But, from the knowledge that he had of the state of the country, and of the manufacturing interests, he believed that it would operate to produce mischief rather than good. There were circumstances within his own knowledge which induced him to think that it would be most unwise to introduce a bill of that kind. He had lately had a conversation with a manufacturer, very extensively engaged in the iron-trade, and who complained of low prices. On asking him whether those low prices did not, in his opinion, increase the export of nails, he replied that he could not tell; but he had some advantage in the present system of paying labourers, which enabled him to manufacture his goods at a rate of eight per cent below that for which they could otherwise be produced. He put it to the House, whether that was a system which ought to be interfered with? If the Bill were simply to put an end to the avariciousness of the truck-masters, it should have his full and entire sppport; but after this specimen of what was now going on in the manufacturing districts, he was bound to conclude, that it would lead only to a decrease in the employment of labourers. There was one other objection, which it would, perhaps, be more proper to urge in committee. This Bill was, in its operation, calculated he believed to affect the interests of those who had not, in the slightest degree, contemplated any interference from the law. From Bristol to Stratford-upon-Avon it had been the practice for many masters to maintain their workmen, by providing them with food in the craft which they navigated upon the canals; and there was, he believed, a clause in this Bill which would enable these men to sue and punish their masters for maintaining them in this manner. He did not wish to take up the time of the House, but this was really a question on which it ought not to decide in ambiguity and doubt, and therefore he was of opinion that the Bill should at least stand over until another Session.

Mr. *Slaney* would not, if there was to be another opportunity for discussing this Bill, occupy the time of the House by dwelling upon it then. He had ventured to express his views on a former occasion; but there were, nevertheless, some other observations which he should wish to address to the House, whenever a proper opportunity occurred. In his opinion, a more important question was never submitted to the attention of Parliament; and after much inquiry, and giving due consideration to the subject, he had come to the determination of supporting the Bill. If, however, it would be more convenient to discuss it at a future period, he for one would not object to its postponement. He wished those hon. Gentlemen who opposed the Bill to take into consideration that the evil which it was intended to remedy was an effect, and not a cause,—that it arose from there being too great a number of persons engaged in those trades, to whom, consequently, adequate wages were not allowed. The question therefore was, whether, by abolishing that one peculiar form of payment, the House would in reality benefit that class of persons whose situation it was anxious to mend. If the present Bill should be carried into effect, there could be no doubt but that a great many persons would be thrown out of work. Still he would vote with his hon. friend, because the Bill, although it would have the effect of throwing a certain number of individuals out of work, would, at the same time, diminish the supply of that article, the glut of which in the market had been the means of grinding down the price of the labour of those unfortunate persons. If the supply, therefore, were diminished, and the present demand continued, the wages of those who were employed would be undoubtedly increased, and in a short time the masters would be able to pay them in money. He thought, therefore, that after a time the Bill now proposed by his hon. friend would have the effect of improving the situation of the labouring classes in the manufacturing districts; although, at first, it would undoubtedly have the effect of throwing a considerable number of those, who were now irregularly and inadequately paid by this truck-system, out of employ. He thought that the measure might be defended upon precisely the same ground as that by which the House will allow goods only to be sold by a legal measure—that was a measure which workmen and all classes of the community understood; whereas, it was now impossible for the workman to understand the mode, or even the rate at which he was paid. But let the House recollect that this system not only oppressed the labourer; it was also, in many instances extremely burthensome to the community at large. At this moment there were, in the county of Leicester, a large body of working mechanics, so poorly paid by the truck-system, as to be obliged to have their wages made up by an allowance from the poor-rate. The whole question, therefore, was one of infinite importance; but as he saw that the House was becoming impatient, he would not trespass another moment upon its attention.

The Amendment was withdrawn, and the House went into a Committee on the Bill.

Mr. Hume, Mr. Warburton, and others, objected to the clause which prohibited masters from even recommending the places at which workmen might expend their wages; and Mr. Warburton moved, as an Amendment, that the word "Recommendation" be left out; upon which the committee divided, when there appeared to be only thirty-five Members present, and the House was counted out.

HOUSE OF LORDS,

Friday, July 2.

MINUTES.] The Common Law Fees Bill, and the Sale of Beer Bill, were brought up from the Commons.

Petitions presented. By Lord KINNOUL, from the Corporation of Perth, against the Tax on Personal Estates. By the Duke of BUCKINGHAM, from the Magistrates of Winchester, against the Sale of Beer Bill. By the Earl of STANHOPE, from Pat Flanagan, in favour of the Draining of Bogs Bill.

ANSWER TO THE ADDRESS.] The Marquis Conyngham (the Lord Steward), presented the following Answer from his Majesty to their Lordships' Address.

"WILLIAM R.

"I thank you for this loyal and affectionate Address.

"It affords me the greatest satisfaction to be assured of your determination to adopt, without delay, such measures as the exigencies of the public service may, under the present circumstances, appear to require. W. R."

SHUBENACADDIE CANAL.] Viscount Melville moved the second reading of the Shubenacaddie Canal Bill.

Lord *Durham* inquired the grounds on which the House was expected to sanction the passing of this measure. He had already put the question to a noble Lord opposite, without having received an answer.

Viscount *Melville* stated, that the object of the Bill was, to raise a loan of 20,000*l*., with a view to complete a navigable communication from Halifax to the Bay of Fundy, the usefulness of which appeared to him so obvious, as to supersede the necessity of explanation.

Viscount *Goderich* could not agree with the noble Lord in thinking that they should be required to authorise the Treasury to advance a loan of 50,000*l*. to any Company whatever, as a mere matter of course. He did not mean to dispute the propriety of the Bill in question; but it was, in his opinion, requisite to have some information on the subject, as the proposition that it involved was one of a nature which ought not to be entertained without a due degree of caution.

Lord *Durham* was ready to admit, that the loan of money would be very beneficial to Nova Scotia; but he objected, on principle, to appropriating the public money to works for the benefit of the Colonies. Besides, in this particular case, he thought money might be found by looking to the funds raised in Nova Scotia itself; and, if it could, it was not advisable to appropriate the taxes of this country to that purpose. He thought there was good reason to recommend a reform in the financial administration of that country; and, till that were done, he should object to appropriating any money for works in that colony. It appeared by a return laid before the Finance Committee, that the revenue of Nova Scotia was 38,360*l*., and that no less than 20,000*l*. of this was expended in making roads and canals, and building bridges; and he begged leave to ask, why a part of this money could not be appropriated to the making the Shubenacaddie Canal? The Government, too, had been obliged to ask 10,000*l*. for the payment of the Civil List of the colony. Here, then, was 30,000*l*. of the revenue of the colony spent, and he was convinced that the expenditure might be reformed. The salaries of the different officers were too large. There was a Comptroller of the Customs with 2,000*l*. a year, and other officers were paid in proportion, so that the Customs of the colony were levied at an expense of eighty per cent. Besides the Comptroller, there was a Collector, with 1,000*l*. a year; two Waiters, with 400*l*. a year; two Out-collectors, with 400*l*. a year, and other officers; making altogether a charge of 6,150*l*. a year for collecting a revenue of 8,000*l*. Under such circumstances the House ought to pause before it granted any money for any such purpose as building this canal. There was also an allowance for a fishing-vessel of 1,500*l*.; and the Governor of the King's College had 1,000*l*. a year; and the Bishop had 2,000*l*. a year; while the Chief Justice—and to this he begged the Lord Chancellor's attention—had only 800*l*., and the Attorney-general 150*l*. If the noble Viscount was right in granting the public money for such purposes, his noble colleague sitting near him must be wrong. The Duke of Wellington, in answer to an application of the Thames Tunnel Company, for pecuniary aid from the public, declined to grant any. He had seen the Duke of Wellington's answer, in which his Grace stated, that, in his opinion, the money wanted for the completion of the Tunnel could not possibly be granted under existing circumstances—that it was contrary to his principles to make any advance of public money on loan, and that it was incumbent on him to avoid every expense but what was immediately useful to the country. He thought that the determination of the noble Duke was quite correct in principle, and he hoped his Grace would not think the present case a proper exception. He should object to the second reading of the Bill, and move as an Amendment, that it be read a second time this day six months.

The Duke of *Wellington* observed, that although the expenditure of Nova Scotia might not be justifiable in all respects, yet the advance of the proposed loan might be expedient notwithstanding, and he was sure the House would not refuse to sanction it. The project which it was intended to facilitate would prove not only useful to the Province, but would also be of advantage to the public service. It would be very important in time of war, as well as of peace, that a communication should be opened between Halifax and the Bay of Fundy. He had always been averse from allowing an advance of public money for the promotion of any work, unless it was not only useful but necessary for the public service. The present work seemed to him one of that nature; the interest would be paid, and the undertaking was of great importance to the province and the empire at large.

Lord *King* said, there was sometimes but little difference between the advance of a loan and an actual grant. In the case of the Derry Bridge, for example, neither principal nor interest had yet been paid, although the money for its erection had been advanced so long since as 1813.

Viscount *Goderich* inquired what security was to be given, that the loan advanced would ever be repaid. The tolls to be received on the canal had been mentioned in the Bill; but he wanted to know what guarantee they had that the Company would prove solvent by the time the canal was completed?

The Duke of *Wellington* replied, that the tolls were to be mortgaged to the public for re-payment.

Lord *Teynham* approved of the vote, which he looked upon as most necessary for the country.

The Marquis of *Londonderry*, in reference to what had fallen from the noble Baron opposite, stated that the Corporation of Derry held themselves responsible for the re-payment of the loan alluded to: it depended on the Treasury at any time to enforce such re-payment.

Lord *Durham* said, that when the Bill went into committee, he should move the substitution of the words "Thames Tunnell" for "Shubenacaddie Canal."

Bill read a second time.

CAPITAL OFFENCES (SCOTLAND) BILL.] The Earl of *Rosslyn* moved, that the House should go into a Committee on the Capital Offences (Scotland) Bill. The noble Earl briefly described the object of the measure, which was to enable the Courts to shorten the interval between sentence and execution, and to do away with banishment, except in cases of solemnization of clandestine marriages.

Lord *Wharncliffe* adverted to the inconvenience attendant on the privilege of the Commons, with respect to money-bills, as it precluded the House of Lords from substituting fine for banishment, which, in such cases as the one then before their Lordships, would promote the objects of legislation.

Bill went through a Committee; the report to be received on Monday.

EAST RETFORD DISFRANCHISEMENT BILL.] On the Order of the Day for taking the case of East Retford into further consideration being moved,

The Marquis of *Londonderry* rose to move its postponement *sine die*. The noble Marquis added, that he was induced to take this step in consequence of the present state of public business. He understood that the Session could not be protracted beyond the 20th instant, and that there were still twenty-eight Orders of the Day to be disposed of in the other House, and twenty bills in that House, besides the case of Sir Jonah Barrington, the Beer Bill, the Law Judicature Bill, the business connected with the Vote of Credit, the East-India Committee, and the Coal Committee. There were 180 appeals still before the Lord Chancellor; their Lordships had engagements in consequence of the demise of the Crown; and there were fifty-eight witnesses to be examined on the part of those who opposed the present Bill; under all these circumstances he conceived he was acting best for the convenience of all sides by moving its postponement. He was connected with no party, and therefore not actuated by interested motives. His Lordship concluded by moving accordingly a postponement of the further consideration *sine die*.

The Marquis of *Salisbury* hoped that this would not be considered as a party question. The Bill had been now three Sessions in the other House, and at length was sent up here, and it would be an ill compliment to that House to put it off now *sine die*.

The Earl of *Malmesbury* regretted that their Lordships did not go on with the Bill as was first suggested—of taking evidence as to what was done at the election of 1826, instead of going back to what occurred three elections before. In that way it would be impossible ever to carry a disfranchisement bill through.

The Marquis of *Clanricarde* said, it would be only a waste of time, and cause a very great expense, to go further with the Bill, unless there was a prospect of being able to carry it through.

Lord *Durham* did not think a case had been made out, to prove the preamble of the Bill, yet he was ready to go on, if a chance offered of bringing the proceedings to a close.

The Duke of *Wellington*.—The question was, whether, having gone so far, their Lordships should now drop all proceedings: they had a few days of the present Parliament left, and he thought that it would be better to occupy a part of them in endeavouring to bring the Bill to a close. It had already been in the other House three Sessions, and it would not become the dignity of the House to pass it without further discussion, and adjourn it *sine die*.

The Earl of *Carnarvon* thought, that though there were fifty witnesses, their examination might, with a little diligence, be gone through in a few days.

The Marquis of *Salisbury* proposed, that their Lordships should sit to hear the case on Monday, at ten.

The Duke of *Buckingham* wished to know, whether their Lordships were prepared to sacrifice all other business to this.

The Duke of *Wellington* suggested, that their Lordships should fix on Wednesday morning.

Earl *Grey* had no objection to go on, if they could succeed in getting through; but in the few days that Parliament had to remain, even at the sacrifice of all other business, he did not think time enough would be afforded.

Lord *Ellenborough* said, it did not follow that because his noble friend fixed it for Wednesday, it was not to come on before then, in the usual way. But that day was to be occupied in endeavouring to get it through. He thought that from respect to the House of Commons, any other portion of the public business ought to be postponed rather than this.

The Marquis of *Lansdown* concurred with the noble Lord opposite, that as this Bill originated with the Commons, and related to the constitution of its Members, every respect should be paid to the Commons in disposing of it; and if it could not be carried through, it ought to be made the subject of a message to, and conference with, the House.

The Marquis of Londonderry omitted the words *sine die* of his motion.

On this their Lordships divided, when there appeared—For the Adjournment 13—Against it 45—Majority 32.

The Bill was proceeded with, witnesses were further examined, and the proceedings ordered to be continued on Monday.

HOUSE OF COMMONS,

Friday, July 2.

MINUTES.] The consideration of the Lords' Amendments to the Fees Abolition Bill was, on the Motion of Mr. HUME, postponed for six months. A new Bill to abolish Fees on the demise of the Crown was ordered to be brought in. Resolutions were agreed to in a Committee of the House, for abolishing the Excise Duties on Beer and Cider. A Bill for granting to his Majesty the Sugar Duties was brought in; as was a Bill to subject to the Duties of Customs goods the property of the Crown.

Petitions presented. Praying that Greenwich Hospital might be made to pay Parish Rates, by Sir E. KNATCHBULL, from the Guardians of the Poor of Greenwich. Against the Spirit and Stamp Duties (Ireland), by Mr. R. KING, from Clonakilty, Kilmore, and Innishannon:—By Mr. O'HARA, from Moycullen. For Inquiry into the Grand Jury Laws (Ireland), by Mr. WM. O'BRIEN, from the Freeholders of Clare. Complaining of an Increase of Poor-rates, by Sir E. KNATCHBULL, from James Hantler. Complaining of the Postage Regulations, by the same hon. Member, from Broadstairs. Praying that the Hours of Labour in Cotton Factories might be altered, by Mr. E. DAVENPORT, from Cotton Spinners of Congleton and Ashton. For the Repeal of the Pawnbrokers' Acts (Ireland), by Mr. O'CONNELL, from Thomas Flanagan. For the abolition of the Dublin Court of Conscience, by the same hon. Member, from the same party. For the Repeal of the 31st of Geo. 3rd, by Mr. WM. O'BRIEN, from the Apothecaries of Innis. In favour of the Northern Roads Bill, by Colonel WILSON, from York.

STAMPS ON NEWSPAPERS.] Lord *Morpeth* presented a Petition from the Letterpress Printers of the metropolis, signed by 1,100 of that body, praying for a reduction of the duties on Newspaper stamps and advertisements, and for the removal of all restrictions on the free circulation of periodical literature. The petitioners stated, and he entirely subscribed to their statement, that owing to the high duties on stamps and advertisements, the circulation of newspapers and periodical writings, and, of course, the diffusion of knowledge, were much impeded; and that, if those duties were lessened, the Revenue would be increased from the great increase of advertisements and newspapers, while the public generally, and the numerous body of men connected with the periodical press, would be much benefitted. The petitioners attributed the decay of some newspapers to the heavy taxes, and they mentioned four papers—*The British Press*—*The Traveller*—*The Representative*, and *The Morning Journal*, which without any neglect in the management of them, but solely by the heavy duties had been suppressed within a few years. In consequence of the low duties in France and America, both on newspapers and advertisements, the circulation of newspapers and number of advertisements were far greater, not only positively, but relatively to their enterprise, intelligence, and wealth, in those countries than in Great Britain. It was true there was one paper—*The Times*, a journal which paid the astonishing sum of 70,000*l.* per annum to the Revenue; but no argument could be derived from that great exception to the present unfavourable state of the daily press, save one, founded on the argument that its circulation would be still more extensive, and the number of its advertisements still greater, but for the high rate of duties on newspaper stamps and advertisements. He trusted Ministers would direct their attention to the subject, which was one, he thought, of national importance to the interests of literature and freedom.

Mr. *Spring Rice* supported the petition. He hoped to be allowed to take the present opportunity of noticing a mis-statement which had appeared in the Irish newspapers with respect to what had fallen from him in that House. He would be the last man to complain of newspaper comments upon his conduct, for he considered the conduct of public men to be public property. But if the conduct of any Member of Parliament had been represented in newspapers to be directly the contrary to that which, in point of fact, it was, it then became his duty towards his constituents to take a public opportunity of setting himself right. The misrepresentation of which he complained was contained in two Irish newspapers, where it was stated, that on a late occasion the member for Limerick had declared, before the Parliament of England, that the Catholics of Ireland were unworthy of confidence. Every person who recollected what had fallen from him on the occasion alluded to, must at once admit that that was the most foul misrepresentation ever uttered. What he had said was, that the concerns of the Irish Protestant Church had better be taken up and inquired into by members of that Church than by members of any other communion. He was not disposed to enter into newspaper controversies; but if he had said or done any thing that was wrong, let him be charged with it in the House of Commons, where he should have an opportunity of meeting his accuser.

Colonel *Sibthorp* gave his most cordial support to the petition presented by the noble Lord. The more the press was encouraged, the greater, he was convinced, would be the benefit conferred on the public. The hon. Member, alluding to the notice of motion he had given with respect to providing accommodation for Reporters, expressed his regret that he had not had the good fortune to introduce that measure in the present Session. He, however, considered the subject of so much importance, that if he had the honour of a seat in a future Session of Parliament, he would not fail to submit it to the consideration of the House. It was not, he said, the fault of the Reporters that mis-statements went forth to the public of the proceedings in that House; hon. Members were themselves to blame, who refused to give proper accommodation to the Reporters. It was the opinion of Burke, and other eminent men, that in order to secure the confidence of the constituents of that House, it was most desirable that every thing which occurred in it should be fully known by the public.

Mr. *Littleton* approved of the manner in which the noble Lord had brought the present subject before the House. Nothing, he thought, could more properly occupy the attention of the House than the means of spreading political intelligence among the people. There were many persons in the kingdom, with incomes from 200*l.* to 300*l.* a year, and whose education enabled them to form as just an opinion on political events as any man in that House, who were precluded from learning what occurred in Parliament because they could not bear the expense of taking in newspapers. He was quite sure that the Chancellor of the Exchequer would, in more prosperous times, be induced to consider the proposition suggested in the petition before the House. A small reduction of the newspaper stamp duty, and the advertisement duty, would have the effect of doubling the circulation of newspapers, and increasing the revenue of the country.

Mr. *O'Connell* rose, in consequence of what had fallen from the hon. member for Limerick, to bear testimony to the singular accuracy with which the hon. Member had recollected what he said on the occasion alluded to in the Irish newspaper. Every body who knew the hon. Member knew that he was incapable of using the language attributed to him. The mis-statement had occurred in consequence of the clumsy manner in which the reports of the proceedings in that House were taken. It would be better, he thought, to have a responsible body of reporters. By the present system no one was responsible, and therefore every person was at liberty to misrepresent what occurred in the House.

Mr. *E. Davenport* gave his support to the petition. The hon. member for Staffordshire (Mr. Littleton) had said it was desirable that reports of the proceedings in the House should go forth accurately to the public; and the hon. member for Limerick (Mr. S. Rice) had given a fair specimen of the accurate manner in which the reports were at present made. But his case was only one out of a hundred; and what would become of the time of the House if every person aggrieved were to take the same means of correcting misrepresentations as the hon. Member had done? The House had, however, a remedy for the evil in its own hands. What was more simple than for the House to have Reporters of its own, sworn to report correctly what passed in that House, or not to report at all? With respect to what had fallen from the hon. member for Lincoln (Col. Sibthorp), who wished Reporters to be allowed greater accommodation, he begged to say, that before hon. Members would consent to give up the key of the Gallery, he hoped they would make sure that the guns should not be turned against themselves. Before they capitulated, he should be glad to know the terms of capitulation. He had no sort of doubt of the power of Reporters to report with accuracy. Indeed, it was matter of wonder the correctness with which reports were sometimes given. That they were persons of education needed no further proof than the extraordinary readiness with which quotations were taken down, wheresoever they came from. But, he asked, what law compelled them to report at all? They were not obliged to notice any subject, or report the speech of any individual, that they did not like. Moreover, the House ought to consider what might possibly happen, and not only what did happen. How did the House know what became of the reports after leaving the Reporters' hands? He believed that, as far as the Reporters were concerned, they exercised the power they possessed fairly. But the time might come when reports might undergo manufacture,—when one word or one sentence might be substituted for another, to suit the views of newspaper proprietors. Those were all possible cases, and he did not wish the House to rely on any thing with too great security. Only let the House suppose, which might happen, that some great capitalist thought proper to get the monopoly of the principal newspapers. What was more easy than for him to tell the persons who managed those concerns,—"I will not have such and such speeches reported?" Every body knew that the two hon. members for Callington were opposed on many subjects. Now suppose some capitalist, in possession of the principal newspapers, and having some purpose to serve, were to say—"I cannot afford space for the speeches of more than one member for Callington; and I would rather have the speech of the hon. Member, Mr. Baring, than that of the other hon. Member, Mr. Attwood." The consequence would be, that the speeches of one of the hon. members for Callington would be reported at full length, while those of the other would be exceedingly curtailed. Only let the House consider whither such abuses might lead. Considering the liberty which the reporters possessed of only reporting what they pleased, the only wonder was, that they reported so fairly as they did. What was to prevent the Government getting possession of the principal newspapers? That was a thing it might do very dexterously. It might be done in such a way that the right hon. Gentleman (Sir R. Peel) could say he knew nothing at all about the matter. There were always certain persons ready to do jobs for the Government, who never appeared. Supposing such to be the case, how easily it might happen for the speeches of Ministers to be reported accurately, and for those of the persons opposed to them to be suppressed. He was most decidedly of opinion that the House ought to have Reporters of its own, sworn to give a full detail of what happened there. That, to be sure, would be rather grievous to the newspaper proprietors; but he did not think it so great a grievance as that which arose out of the present system.

Sir *R. Peel* assured the hon. Member who spoke last, that he had no power to direct that the speeches of Ministers should be reported, and that the speeches of persons opposed to them should be suppressed. He must say that the reports of the proceedings of that House were given with singular correctness upon the whole, and, what was still higher praise, with great impartiality. He very much doubted the policy of that arrangement which the hon. Gentleman had suggested, that every word uttered in that House, and the exact terms of every sentence should be faithfully and accurately reported. On the whole, he did not think there was any reason to complain of the manner in which the speeches in that House were reported. Indeed, he considered that a very wise and useful discretion was employed in lopping off some of the superfluities which were uttered. Besides, the arrangements suggested by the hon. Gentleman would lead to Reporters being paid at the public expense. He was of opinion that hon. Members—and he included himself in the remark—would gain nothing by having every word spoken in the House reported. That would neither be advantageous to the public, nor very creditable to themselves.

Petition brought up.

Lord *Morpeth*, in moving that it be printed, said, he should bring the subject of the stamp-duties practically before the House in the next Session, if it should not be taken up by any other person.

Sir *M. Ridley* said, it did not appear that the duty on advertisements was so great as to prevent advertisements being sent to newspapers; for he very often found that in a most respectable paper, when printed of twice the usual size, one half was devoted to advertisements. He, however, thought it desirable to reduce the stamp-duty on newspapers, and he thought that the revenue would be increased thereby.

Mr. *Hume* thought a reduced duty would yield more revenue. He objected to the stamp-duty, because it had the effect of keeping men in ignorance. It was a most mischievous tax. He also recommended the removal of the tax on the manufacture of paper.

Mr. *E. Davenport* said, he was not surprised that the right hon. Gentleman (Sir R. Peel) was satisfied with the present system of reporting, as his speeches were always reported verbatim ——

Lord *Howick* called the hon. Member to order. The House was not discussing any question about reporting.

Mr. *E. Davenport* said, the noble Lord was very fond of calling to order. The noble Lord might have a design in that, as he wished, perhaps, to get his speeches reported.

The *Speaker* here called the hon. Member to order. He stated, that though it was perfectly true that the House, when any question was brought before it, did not confine itself strictly to the discussion of that particular subject, yet it did appear to him extremely disorderly to make a deviation so great as to anticipate the discussion on a motion, of which notice had been given, to enlarge on a subject, except upon a distinct notice, which ran very closely on the privileges of the House; and moreover, to comment on the conduct of any hon. Member, and impute motives to him for having called another person to order.

Sir *R. Peel* begged to state, in reply to the hon. Member (Mr. Davenport), who seemed to think that he was pleased at having his speeches fully reported, that he was very glad that his speeches were not always reported verbatim.

Mr. *S. Rice* wished to correct a misapprehension into which the hon. member for Clare had fallen. He had not complained of the reports of his speech—they were all correct—but he had complained of the false comment which was made on it.

The Petition to be printed.

SUPPLY — FOUR-AND-A-HALF PER CENTS.] On the Motion of the Chancellor of the Exchequer, for the House to resolve itself into a Committee of Supply,

Sir *J. Graham* rose to submit a Motion to the House relative to the 4½ per cents. He hoped, however, that the House would allow him on the present occasion, perhaps the last that would be offered him, to express his opinion on the course which Ministers had pursued. Departing from the usual and established practice of the House,—that of passing the Estimates separately, and taking the sense of the House on each grant of money,—he understood that it was the intention of the Chancellor of the Exchequer to move a considerable vote of credit, which, in point of fact, if agreed to, was a mark of unlimited confidence in his Majesty's Ministers. In the early part of the Session he was not disinclined to place unlimited confidence in the Administration, but in the progress of the Session it had forfeited the favour of those who were disposed, at first, to give it support. The Administration had been "weighed in the balance, and found wanting." It was not an Administration which, in his humble judgment, was competent to conduct the business of the state with credit to themselves, or with benefit to the country; it was an Administration from which, as it appeared to him, the public opinion was rapidly receding, and he could not but express his regret that his Majesty should have consented to place his confidence in such an Administration, at the moment that the people of this country had begun to view it with distrust. He must on this occasion enter his protest against the vote of credit which was called for, because he could not place confidence in the Government, and he must further protest against such a departure from the usual mode of voting the Estimates. The question, as it appeared to him, which here presented itself, was, whether there was in this instance any good reason for a departure from the established rule with regard to the voting of the public money by Parliament. For his part, he was perfectly unable to divine any reason of a public nature, or connected with the public interests, which called for, or justified such a deviation from the ancient, the wholesome, and the constitutional practice of that House. If he might be permitted to give his opinion as to the real reason which induced His Majesty's Ministers to ask for such a vote, he would say that it was because they were anxious to escape from the difficulties by which they were at present surrounded; that they were anxious to put an end to the great council of the nation, because they were unable to manage the House of Commons, and because the only alternative left to them was to get rid of it altogether. That was, in his opinion, the real reason which induced Ministers to ask for a vote of credit now. There were no circumstances of a public nature which justified the House in going along with them in that course; but upon this point he should not dwell at greater length, as he did not wish to weaken the effect of what had fallen from several of his hon. friends the other evening upon this subject, and in whose sentiments he perfectly concurred. There was another matter, to which, with the leave of the House, he would just briefly advert. He wished to glance at the great question of the Regency, which, more than any other question that could be mooted, was pregnant with danger in proportion to the delay of it. In every State in which it was necessary to constitute a Regency, two great dangers were always to be guarded against—that of usurpation on the one hand, and the struggle of present factions on the other; and history clearly established the fact, if it were not deducible from the dictates of common sense, that just in proportion as such a settlement was speedily effected, in the same proportion were the dangers which were incident to such a question lessened and avoided; and that, on the contrary, just in proportion as its settlement was suspended, were those dangers increased, and the risk to the State rendered more critical and more imminent. At no period could it be more incumbent upon Parliament—at no period was it more their bounden duty, with a view to avert the possibility of future danger, to approach speedily, and at once, the arrangement of this important question, and the present moment was one peculiarly fitted for its final and satisfactory settlement. They could come to the discussion of it now coolly and dispassionately, with unbiassed minds, and unfettered judgments. The new Sovereign was seated upon the Throne, and every thing combined to enable them to arrive at a calm, deliberate, and impartial decision upon such an important subject. But if they put it off—if they now improperly postponed it to a future period—the Throne might in the mean time become vacant, instead of being, as it now was, full. Rival claimants might start up to assert their pretensions to the office, public dissensions might in consequence ensue, and innumerable difficulties arise, to impede the due and deliberate exercise of their judgment on the subject. Were he to follow the right hon. Gentleman opposite through the space of history over which it had pleased him to wander, he then might shew—and he was convinced he should be able to shew—that it was contrary to all precedent, and to the principles of the Constitution, heedlessly to defer the consideration of questions of such vital interest. To prove, indeed, that it was the duty of the existing Parliament to proceed at once to the settlement of this question, he should refer to the very preamble of that Act of William which had been so artfully quoted the other evening by the right. hon. Gentleman, and which continued the existence of Parliament beyond the limits of the life of the Sovereign. From that preamble it would be seen, that the Act in question was specially destined by our ancestors to meet an emergency of this kind. The Commons were the trustees for the people, and as such they were bound to meet the emergency, and to proceed at once to provide for the inheritance. It was with that view, and for that purpose, as it appeared to him, that that Act had been framed by their ancestors. But there was another point which strengthened this view of the subject. If they did not proceed to provide for the inheritance now, and if, in the mean time, a second demise of the Crown should occur (which, that it might be long averted, he joined the right hon. Baronet in sincerely praying), if in that event the new Parliament had not been assembled, and had not met for the despatch of business, this present Parliament, which was now condemned, and said by his Majesty's Ministers to be incompetent to discuss this question,—this very Parliament would be called together to settle it and that settlement, it was plain, would not then be effected in the same cool and deliberate manner as it might be effected upon the present occasion, with their gracious Monarch on the Throne,—the guardian of the succession, and the father of his people. It was for these reasons that he (Sir J. Graham) protested against dissolving the present Parliament after obtaining a vote of credit, and thus suspending the established usage and functions of Parliament, which were, to look with a close and jealous eye into every portion of the public expenditure, and to examine narrowly and thoroughly every vote for the public money which should come before them. With regard to the settlement of the Civil List, it had been acknowledged by the right hon. Baronet—and indeed it was impossible to deny the fact—that since the Revolution, the practice had been, that upon a demise of the Crown, the settlement of the Civil List was uniformly made by the existing Parliament previous to its dissolution. The only example of the opposite practice was to be found in the instance of the accession of his late Majesty on the demise of his royal father; and Lord Londonderry, upon that occasion, after acknowledging that it was a departure from the usual practice of Parliament, expressly stated that it could not be drawn into a precedent, because it was recommended upon special grounds; and these were, that although there was a change in the style, title, and dignity, yet that there was not any change in the person exercising the sovereign authority. And here he must say—and it was in vain to dissemble—that the Civil List was one of those questions in which the people and the Crown had not precisely the same interests. The Crown must naturally desire to obtain as large a revenue as it possibly could, consistent with the means and with the burthens of the people. The people, on the contrary, must be anxious to bestow upon the Crown as small a revenue as was consistent with the decent dignity of a limited Monarchy; he said the decent dignity of a limited Monarchy, which was widely different from the ostentatious glare of military Despotism. Now it was undeniable that the Crown exercised an influence in that House; and what was the counterpoise to that influence? The popular influence, which was exercised when the Members again came before their constituents, and appeared, in the words of his hon. and learned friend, the member for Knaresborough, to render up an account of their stewardship, and declare how they had voted, and for what reasons they had voted, upon the great and nicely-balanced questions that had come before them. He thought accordingly, that the people should not be deprived of that salutary control. It was a novelty to attempt to deprive them of it; and it was not to be expected that the Members of a new House would be actuated by the same strong motives to deserve the public favour as men who were soon about to meet those whom they had been returned to represent. He, therefore, for one, could not countenance this novelty, and he hoped the people would avail themselves of another control which was yet allowed to them; and that was, to come to a clear understanding with their Representatives upon this subject. In saying this, however, he begged not to be misunderstood. He hoped the settlement would not be a niggardly one—but a fair, just, and liberal settlement—such as became the dignity of the King of England, and the character of his people. He trusted, too, that it would be a settlement in commutation of all the hereditary possessions of the Crown, Crown-lands, Droits of Admiralty, Droits of the Crown, Hereditary Revenues, and the surplus from the four-and-a-half per cent duties. And now to approach more immediately the subject on which he had risen. He would say that it was the manner in which this fund had been managed for the last two years that had induced him to turn his attention towards it. The Government had seemed anxious to throw a great mystery over those small branches of the hereditary revenue. And if he succeeded in making out his case, he earnestly hoped and trusted that the people would not, on the approaching occasion, overlook the fact, or support any candidate who would not pledge himself to vote for a Civil List upon an economical scale. But touching the four-and-a-half per cent duties, it might be necessary for him to enter into some details. He should not, however, trouble the House by again going over ground which had been so often trodden. He should not waste the time by showing how these four-and-a-half per cent duties had been originally granted to Charles 2nd by the colonial legislature, in consideration of his abandoning his feudal privileges,—consenting to commute the tenures into tenures by common soccage—and to support the military establishments. Neither should he trouble them by showing how these duties had been misapplied by that Monarch and his successor, James 2nd; or how they had been granted to King William, as part of his privy purse; or how, in the reign of Queen Anne, a remonstrance had been addressed from the colonists to that House; or how, in consequence, an Address was voted by the House of Commons to her Majesty, praying that those funds might be restored to their original destination. Nor would he trespass upon the House even to show how they were, during the subsequent part of Queen Anne's reign, and that of the two first Georges, actually restored to their original destination; or how, by the Civil List Act of George 3rd, they were held to be part of the small revenues of the Crown, and thus came to be thenceforward considered as such. Now, it was not necessary for his argument to contend that they were not so, and did not fall within the limits of the Royal prerogative; but the question would still remain whether, if there be a right in the Crown, arising from usage, to import the sugars, on which these duties were paid, free of all charge at the Custom House, the absence of usage for 165 years, up to 1828, was not a waiver of the prerogative? Taking for granted, however, that the prerogative was clear, what would the House say upon the subject? Would it say that it was a justifiable exercise of authority, upon the part of the law-advisers of the Crown, to recommend the revival of that right? He would, as bearing upon the question, quote the opinion of a Crown lawyer, delivered at a period when the doctrine of prerogative was high, and much higher than at present. Sir Heneage Finch said, "The King hath a prerogative in all things not injurious to the subject; but in all respects the King's prerogative stretcheth not to do any wrong." But here he might be asked to explain what he meant by prerogative; and although nothing was more difficult than a definition he believed he could bring forward, one from a great man, and the first logical authority which the country ever produced, from whom, as from the fountain-head, they could draw all the principles which governed the Revolution; it was scarcely necessary for him to add, the individual he alluded to was Locke, who said, "Many things there are which the law can by no means provide for, and these must necessarily be left to the discretion of him that hath the executive power, to be ordered by him as the public good and advantage shall require. This power to act according to discretion, for the public good, without the prescription of law, and sometimes even against it, is that which is called prerogative." Locke did not stop there, but went on to say—" And this power, whilst employed for the benefit of the community, and suitably to the trust and ends of the Government, is undoubted prerogative, and never is questioned; for the people are far from examining prerogative, whilst it is in any tolerable degree employed for the use it was meant—that is, for the good of the people,' and not manifestly against it; but if there comes to be a question between the executive power and the people, about a thing claimed as a prerogative, the tendency of the exercise of such prerogative to the good or hurt of the people will easily decide the question. The end of Government being the good of the community, whatsoever alterations are made in it tending to that end cannot be an encroachment in anybody, since nobody in Government can have a right tending to any other end; those only are encroachments which prejudice or hinder the public good. Those who say otherwise speak as if the Prince had a distinct and separate interest from the good of the community, and was not made for it; the root and source from which spring almost all the evils and disorders which happen in kingly governments. And if that be so, the people under his government are not a society of rational creatures, entered into a community for their mutual good; they are not such as have set rulers over themselves to guard and promote that good; but are to be looked on as a herd of inferior creatures, under the dominion of a master who works them for his own pleasure or profit. If men were so void of reason and brutish as to enter into society upon such terms, prerogative might indeed be, what some men would have it, an arbitrary power to do things hurtful to the people." That was Mr. Locke's definition of prerogative; and he laid it down that it must be exercised for the good and advantage, and not to the detriment of the people. He meant to apply that test to the exercise of the prerogative in this case—or rather to some other cases. The House must not forget that his Majesty was possessed of great domains in Hanover. Now suppose his Majesty were to fancy to grow vast quantities of corn upon these domains, and to import it, as was his right, duty free into this country—he put it to the country gentlemen what would be the effect produced upon their interests, and upon the nation generally, by such a course; or what would be the opinion universally entertained of the exercise of such a right? Again, the King is by right of conquest Sovereign and liege Lord of the many of our foreign possessions; but what would be the effect if he should fancy to import tobacco, which is subject to a tax of 950 per cent, duty free, from Demerara, or any other of our colonies? Would not such an exercise of prerogative be productive of injurious effects to his subjects? That was the point of view in which they should regard the species of prerogative that had been exercised in this instance. He saw, however, the right hon. Gentleman was getting impatient, as if he feared he (Sir J. Graham) was about to violate the compact he had entered into. It was his intention to keep faith. When he brought this subject, on a former occasion, before the House, the right hon. Baronet acknowledged that a remedy was required in reference to one branch of this subject, and that it should be met by a bill. He then understood that a bill for the purpose would be brought in, and passed this Session. However, since that time, he had heard no mention of the introduction of any such bill. He had, in the first place, waited for the right hon. Gentleman's statement of the measures he proposed to carry forward that Session; but in this there was no mention of the Bill now indeed laid upon the Table. Besides, he must observe that he had heard nothing of that Bill, and until he had given notice last night of his present motion, he saw nothing respecting the matter upon the paper. He was sure, that the right hon. Gentleman would acknowledge that such an arrangement as he alluded to had been made, and it did not appear that it had been adhered to on the part of his Majesty's Ministers. Notwithstanding all this, however, he would have waited patiently, but that, since the arrangement had been made, a most important fact had come to his knowledge, which made the former part of the case sink into insignificance; and now he begged to call the attention of the House to that fact, which formed the very essence and gravamen of his charges against the Ministry. He should just, however, call their attention to the extraordinary manner in which the facts respecting these matters came originally before the House. His hon. friend, the member for Aberdeen, had moved for a Return of all the Small Revenues of the Crown, severally enumerating them, and including the four-and-a-half per cents. A Return was brought in, with a note appended, that, in consequence of an opinion given by the Attorney General, no duty had been received on sugars not subject by the Act to duty, and being at the disposal of his Majesty. Now let them see, in the first instance, what was the question put to the Attorney General. It was, "Whether (as it has been held that no property of his Majesty is, unless specially subject to duty, liable to the payment of it) the sugars granted to the King in kind, and not specially subjected by any Act to Custom Duty, being also subject to his Majesty's disposal, and now applicable to public objects, pointed out by Parliament in the Act 6 Geo. 4th, cap. 88 (namely, the payment of the expenses of the Ecclesiastical Establishment in the West Indies) are liable to the payment of any Custom Duty?" Now the words of the Act of

6 Geo. 4th, cap. 88, were—"And whereas it is expedient that the charge to be created by the salaries or pensions which may from time to time be payable, under the authority of this Act, to the Bishops, Archdeacons, Ministers, and Catechists, appointed or to be appointed by his Majesty as aforesaid, should be charged upon the duties of four-and-a-half per centum, payable to his Majesty in the West Indies, whenever the said duties, after payment of the prior charges thereof, shall afford the means of defraying the whole or any part of such salaries or pensions: Be it, therefore, enacted, that the said salaries and pensions shall become and be a charge upon the duties of four-and-a-half per centum next in priority after the salaries of the Governors, Lieutenant-governors, and other public officers, payable out of those duties after the determination of any other charges now existing thereupon; and that any and every surplus which shall at any time arise out of the produce of those duties, after defraying all such other charges now existing thereupon, or by reason of the cessation of any of those charges, shall go and be applied in the first instance to defray the charges of the salaries and pensions to be granted under the authority of this Act accordingly." But the Attorney General answered, he saw no reason why these sugars should be liable to the payment of any duty. He said—"We are of opinion that the property in the sugars in question being in his Majesty, the same are not liable to the payment of any Custom Duty." But then how did the Government act? Did they proceed not to levy the duties? Nothing like it. On the contrary, they did levy the duties; and this he should make quite clear to the House. Sugar might be sold in one of two ways—by the short price, in which case the purchaser paid the value of the sugar only; or by the long price, which included the duty of the Customs; and in this case the Government sold the sugars at the long price, or levied the duties on them, so that the produce fell under the Appropriation Act. Therefore it was clearly the duty of Ministers, having so done, to pay the same into the Consolidated Fund, in obedience to the Act. This was the course they ought to have taken, for there was a special appropriation under the Act, the 10th of Geo. 4th. cap. 85, which contains the following clauses:—"And be it further enacted, that all moneys coming into the said Exchequer by one other Act of this Session of Parliament, entitled 'An Act for continuing to his Majesty, for one year, certain duties on Sugar imported into the United Kingdom, for the service of the year 1829,' shall be further appropriated, and are hereby appropriated, and shall be issued and applied for and towards the several uses and purposes hereafter expressed." This Appropriation Act went on to say—"And it is hereby enacted, that the said aids and supplies provided as aforesaid, shall not be issued and applied to any use, intent, or purpose whatever, other than the uses and purposes before mentioned, or for the other payments directed to be satisfied thereout, by any Act or Acts, or any particular Clause or Clauses for that purpose, contained in any other Act or Acts of this Session of Parliament."

As soon as he had ascertained that the duty was levied, it became necessary for him to seek some information respecting the amount. With a view to ascertain what that surplus was, he had moved for a return on the subject, and he found from that return that the gross nett proceeds of the fund for the year ending the 5th of January, 1830, amounted to 61,059*l.* 16*s.* 2*d.*; that the total charge was, during that period, including the colonial salaries and the pensions to the Husband fund, 42,805*l.* 3*s.* 4*d.* and that the nett surplus amounted to 18,254*l.* 12*s.* 10*d.* In the year ending the 5th of January, 1829, the gross proceeds amounted to 66,992*l.* 15*s.* 1*d.* and the charge being estimated at the same amount as in 1830, it left a nett surplus of 24,187*l.* 11*s.* 9*d.* This surplus, added to the surplus in 1830, left a nett surplus for those two years of 42,442*l.* 4*s.* 7*d.* unaccounted for. He, on getting this return, imagined that surplus was applied to the support of the Ecclesiastical establishment in the West-Indies, and he was the more convinced of the correctness of that opinion, when he perceived that the charge for that establishment almost exactly tallied with the amount of this surplus. He did not imagine that there had been the least irregularity in the appropriation of that surplus, and he was led irresistibly to this conclusion by the answer given by the Prime Minister to a question put to him upon the subject by a noble friend of his in another place. The words used by his Grace were these—at least he took them in that form from what he presumed would be considered an authentic source, "There can be no doubt that it is a constitutional principle, that the property of the Crown is not liable to pay duties on importation into this country. I do not contend that it is always prudent to put that principle in practice; but I do mean to contend, that it is not imprudent to put it in practice in this case; because there are peculiar circumstances attached to it, which are not likely to be found in any other. I contend that these funds (under 6th Geo. 4th) are taken out of the hands of the Crown, are applied under the control and superintendance of Parliament, and can never be abused for any purpose whatever." After this he certainly thought it unnecessary to make more inquiries, especially as the right hon. Gentleman had pledged himself to meet him upon the constitutional principle; but a rumour having reached him that this surplus was not applied to the expenses of the West-India Church Establishment, and having found that, on an average from the year 1820 to 1828, there was a surplus of 17,000*l.* a year on the charge for pensions, over the payment, and that, therefore, there was a large arrear due to the pensioners, a question was naturally raised in his mind whether great interest had not been made, to have this arrear discharged out of the fund which had been raised by that legerdemain to which he alluded. On this he moved for a return, to show the amount paid in salaries, and the funds provided; and he was sure the House would be astonished, as he had been, when he read to them the last paragraph. It stated, that the amount paid for salaries on the Church Establishment was 20,000*l.* per annum, and that this was paid from the Consolidated Fund till such time as the state of the four-and-a-half per-cent. surplus was such as to admit of their being defrayed from it, in whole or in part. Not a shilling had been paid into the Exchequer; and there was now upwards of 42,000*l.* raised in that mysterious way, for which Government would have to account. The Members were no doubt cloyed and disgusted with the Sugar Question, but he trusted they would remember what the Chancellor of the Exchequer had said about the high quality of the sugars imported from the old colonies. Taking, then, the authority of the right hon. Gentleman, they must conclude that all the sugars imported in payment of the four-and-a-half per-cents would go to the refiner, and there would thus be a drawback upon the whole of it; and if so, the loss to the country would be doubled; it would amount to upwards of 84,000*l.* But taking it at the average rate of sugars imported from the old colonies, and saying that one-fourth went to the refiner, there would be a loss of 18,000*l.*, which, being added to the 42,000*l.* remaining unaccounted for, would thus make a total loss of 60,000*l.* If this, however, had been the only part of the case, he might have been disposed to overlook it; but there had been two or three instances lately of interference upon the part of the Treasury, which was unconstitutional and dangerous in the highest degree. In the year 1817 a grant of 15,000*l.* had been made to the City of Londonderry, for the purpose of building a bridge, and this sum was to be repaid by annual instalments before the year 1837; but in 1821 a Minute of the Treasury was issued, suspending the payment *sine die*, and not a single farthing of this loan, though its repayment was provided for by Act of Parliament, had ever been paid. Now here was a suspending power usurped by the Treasury, of the most dangerous kind. There was another transaction well worthy of consideration. The whole money voted for the repairs of Windsor Castle was expended in July; and in anticipation of a vote, not then submitted to the House, and when submitted not agreed to, 70,000*l.* of debt was incurred. Here was a case of supercession of the functions of the House of Commons. And lastly, in the present instance, there was a direct violation of an appropriation embodied by the three estates in a solemn Statute. It was accordingly high time to come to some understanding. The most wholesome and the greatest privilege of the House of Commons he had always understood and considered to consist in the power of watching over and controlling the public expenditure; and so long as it existed in full force, so long, and no longer, might the freedom of the people be secured. He was not, consequently, disposed to rest satisfied with a measure which was merely prospective. In the year 1805, Mr. Pitt, in the plenitude of his power, was glad to take a bill of Indemnity from that side of the House, when he had simply supplied, in a case of urgent necessity, 60,000*l.* to make good a loan, and save the public credit. The loan had fallen to a discount, and the contractor was unable to make good his contract without aid, and Mr. Pitt was consequently compelled to supply this money, which the House had voted for another purpose. And yet, in this case, Mr. Pitt was not only satisfied, but glad to take a bill of Indemnity. He did not mean to impute corrupt motives to the present Ministry; but he conceived their conduct should not be suffered to pass by unnoticed or unremarked by some expression of the feeling of the House; for he was one of those who believed that all the privileges of the House, strongly enforced, were the best bulwarks of the liberties of the people; and he considered that the best support they could afford those privileges, and the best manner in which they could secure this permanency, was by bold resolutions of their own. Such was the opinion of their ancestors; and he would refer the House to a Resolution passed on the 15th of May, 1711, which he thought applied to the present case, for it declared that to employ money for purposes for which it was not voted, was a misapplication of the public money. That such a misapplication of the public funds had taken place in this instance had been, he thought, satisfactorily proved. There was also in 1727, a Protest on the Journals of the Lords, couched in energetic and constitutional language, and directed against the Bill of Aids, which might be well consulted as a precedent. Now, he was one of those who did not think that such Resolutions as he had alluded to consisted of the mere pompous sound of words. He thought they inculcated principles which ought to be dear in the estimation of the House, and he was convinced the liberties of the people would not long survive if they neglected to maintain that high tone. He had now, as succinctly and explicitly as he could, opened the case respecting this surplus money that was unaccounted for, and would conclude with the Resolution which he begged to read to the House. The hon. Member then moved the following Resolution, as an Amendment on the original Motion;—"That the Sugars, the produce of the Four and a Half per cent Duty, levied in the Islands of Barbadoes, Antigua, Montserrat, Nevis, Tortola, and St. Christopher, have for a great number of years been sold in the like manner as all duty-paying sugars from the British plantations are usually sold in this country, namely, at the long price, in which is included the duty of Customs payable on sugar; and that there has been no difference in this mode of sale since the date of the Treasury Minute of the 15th of April, 1828. That the said sugars have been uniformly entitled to the drawback or bounty payable by law on duty-paid sugars, and that there has been no difference in this respect since the date aforesaid. That the drawback or bounty on any such sugars exported since the date aforesaid, has been paid out of the revenue of the Customs, into which no duty has been paid on account of such sugars. That the nett proceeds of all monies received on account of his Majesty's revenue of Customs ought by law to be paid into his Majesty's Exchequer, to the account of the Consolidated Fund. That these duties virtually levied on the purchasers of the said sugars since the 25th of March, 1828, have not been paid into his Majesty's revenue of Customs, and have been appropriated without the cognizance or consent of Parliament. That this House, having called for an account of the appropriation of the nett proceeds of the four and a half per cent duty, for the year ending 5th of January, 1830, an account was furnished, by which it appears that the pensions paid by the Husband in that year amounted to 20,890*l.* 1*s.* 4*d.*; that the salaries and other charges amounted to 1,502*l.* 5*s.* 11*d.*; that the salaries and pensions paid at the Exchequer amounted to 20,412*l.* 16*s.* 1*d.* making a total of 42,805*l.* 3*s.* 4*d.*; and it further appears, that the nett proceeds of the said duties for the same year were 61,059*l.* 16*s.* 2*d.*, leaving a balance of 18,254*l.* 12*s.* 10*d.* not accounted for by the said return. That the nett proceeds of the said duties for the year ending 5th January, 1829, were 66,992*l.* 15*s.* 1*d.* That no part of the surplus arising from the nett proceeds of the said duties for the years ending 5th January, 1829 and 1830, after paying the pensions, salaries, and charges thereupon for the said years respectively, has been appropriated to the payment of the Ecclesiastical Establishments in the West Indies; and that no account has been rendered to Parliament of the manner in which such surplus has been applied. That to exempt from duty any article of merchandize imported for the Crown, but not intended for the use of the Sovereign, is an extension of the King's prerogative of dangerous example, and that to levy the parliamentary duties payable upon such article when sold for home consumption, and to appropriate the amount thereof without the knowledge and consent of Parliament is an unconstitutional violation of the undoubted privileges of this House."

The *Chancellor of the Exchequer* would not follow the hon. Baronet into the extraneous topics which he had introduced into the present discussion. The present was not, in his mind, the occasion for discussing the Regency Question or that of the Civil List; nor did he see well how the hon. Baronet could connect with the topics he had introduced the subject of Londonderry Bridge, or the expense of the repairs of Windsor-castle, of which he might have learned something up-stairs. He had said, when he first began to address the House, that in the former discussion of the question there was an universal admission on the part of the hon. Members, that the exempting the King's sugars from the duty paid on other sugars was perfectly legal. The hon. member for Cumberland did not question the legality of that exemption at present; on the contrary, he admitted that the King's sugars were not subject to duty. That point had been discussed on a former occasion in the House, and all the lawyers in the House, without exception, admitted the legality of exempting the sugars, being the property of the King, from duty. Whatever other imputation, therefore, might rest upon those who advised the admission of the King's sugars duty free, this imputation clearly could not rest upon them, that they had been guilty of a violation of the law. On the former discussion it had been admitted by the advisers of the Crown, that though the Crown was in the undoubted possession of the prerogative to admit any commodities intended for its use free of duty, it was a prerogative which ought to be exercised with some restraint; and the humble individual who then had the honour of addressing them, had said, that upon a future occasion he would himself bring in a bill to take away this prerogative in certain cases. The hon. member for Cumberland had told the House that he had not seen any intimation given, by the Governtment of its intention to fulfil the pledge which he had offered to Parliament. He could not help feeling that the hon. Baronet, in making such a declaration, was a little too hard upon his Majesty's Ministers. The hon. member for Cumberland had mentioned the subject privately to him some time ago, and had asked him when he intended to submit to the House his promised measure. He had told the hon. Member he was ready to bring it forward at any moment; but he had likewise added, that it was so short, that he thought it better to make it part of a bill which the Government intended to introduce, for the amendment of the law of Customs, than to make it a substantive bill of itself. Was there, he would ask the House, in that intimation, any thing which could justify the hon. Baronet in supposing that it was not his intention to carry into execution the assurance which he had given? Was it not rather an intimation that the subject had been fully considered by the Government, which was ready to submit it to the consideration of the House? Nay, he would ask further, had not his subsequent conduct fortified the idea which the language he had used to the hon. member for Cumberland ought originally to have excited? No sooner was it ascertained, by the occurrence of events with which all of them were unfortunately acquainted, that the duration of Parliament was not likely to be much further prolonged, and that the Customs' Amendment Bill, which was likely to excite considerable discussion, must on that account be abandoned; no sooner, he said, were those circumstances known to him, than he took the very first opportunity of giving notice that he would bring in, as a substantive bill, that measure which he had intended to propose as a clause in the Customs' Amendment bill. If Gentlemen would merely take the trouble of referring to the Orders of the Day, they would see that that bill stood for discussion this very evening. So far, then, was the hon. member for Cumberland from having any justification for charging him with an abandonment of his pledge, that there was every ground for him—first, in the private communication which had passed between them, and next, in the notice of motion which stood among the Orders of the Day —to suppose that he was prepared to redeem it; and before the House separated that night, redeem it he certainly should. The real points in dispute between the hon. member for Cumberland and himself lay in a very narrow compass. The first point, as he had already told the House, was simply this—was it justifiable to direct, that all the King's sugars, imported from the West-Indies, should be exempted from duty? And the next point was, had the proceeds of those sugars, or at least the surplus of them, been correctly applied, under the provisions of the Act of Parliament to the payment of the expense of the Ecclesiastical Establishments in those colonies? With respect to the first point, namely, the propriety of exempting the King's sugars from Custom-duty,—it had been already disposed of in a previous discussion, and would be set at rest for ever by the measure which he was prepared to introduce that evening. He could not, however, quit that subject without adverting to one topic which the hon. Baronet had introduced as an aggravation of the misconduct of Government. "You," said the hon. Baronet, addressing the Ministers, "have taken duty-free sugars from the West-Indies of the finest quality, which are the more desirable for the refiner—you have sold those sugars at the long price to the purchasers, and the purchasers have re-shipped them for exportation; you have thus not only lost to the revenue of Customs the whole duty which you did not pay on the sugar, though you charged it to the purchaser, but you have also lost to it the whole amount of drawback which is payable upon exportation." Now, if the hon. Baronet had been acquainted with all the circumstances of the case in which these sugars stood, he would not have given the authority which he had done to the statement which he had made. The hon. Baronet must know that the duty collected upon them was so many pounds of sugar upon every hundred pounds; in short, that it was a duty in kind; and that, as such was the case, it was likely that the parties would not select for the Crown their very best sugars. In order that the hon. Baronet might be convinced that what was likely to take place had actually taken place in this instance, he would refer to the price which these sugars had produced in the market. The hon. Baronet had before him the gross amount of the proceeds obtained by the sale of these sugars; and if he would take the trouble to make the calculation, he would find that the sale price of these sugars, free from duty, was 24*s*. per cwt., being 1*s*. under the average price of the present moment. Instead, therefore, of these sugars being of so fine a quality, it turned out that they were of a subordinate description; and he would undertake to say, generally speaking, that the 4½-per-cent sugars did not equal the other sugars which came to this market. So much, then, for the first point of the hon. Baronet's argument. He came now to the second point,—namely, to the correct application of the surplus of the proceeds of these sugars to the Ecclesiastical Establishments in the West-Indies. He took it that upon this point the hon. Baronet had fallen into an error by comparing two accounts that had been made up to two different and distinct periods. In the year 1828, the sugars produced 66,000*l*., and all the pensions charged upon them amounted to 42,000*l*.; therefore, in that year, there was a surplus of 20,000*l*. odd. The hon. Baronet, however, had taken the accounts as made up to the 5th of January, whereas they were generally made up to the 5th of July. It was, therefore, impossible that two accounts made up to two such distinct periods, could give the House any insight into the real condition of the case. The circumstances of the case were simply these,—and he could assure the House that he had not the slightest wish to conceal them,—for there was really nothing which required concealment. The proceeds of the sugars of the year 1828 were not received till the 5th of July, 1829. At that time there was a surplus of 7,200*l*. in favour of the 4½-per-cent duties. It was intended that it should be applied to the purposes stated in the Act; but it was not. It remained in the Bank of England, and was retained to meet any claims which might become due upon it before the proceeds came to hand. The proceeds of the sugars of this year were not yet realized; they were as yet only matter of estimate, and therefore, until the accounts were closed, on the 5th of July next, the balance could neither be paid into the Bank, nor be made available to the payment of the Ecclesiastical officers. So far from there being no intention to apply this surplus to the payment of the Bishops in the West-Indies, the original Minute, which sanctioned the payment of them from other funds, expressly stated that this surplus was to be reserved, in order that it might be applied, when it had accrued to a sufficient amount, to the purposes specified in the Act of the 6th of George 4th, c. 88. He assured the House that when the balance due on the 5th of July was paid in, it would be handed over to the Consolidated Fund, so that, in point of fact, the present practice was tantamount to paying the Bishops out of these very funds. He repeated, that in the first year there had been a balance of 7,200*l.*, which had been reserved for the purposes which he had already stated, and added, that on the 5th of July this year there would be a much larger balance, which would also be applied, as he had already explained, to the Consolidated Fund. He could not, therefore, bring himself to believe that the House would be of opinion that there was anything in the conduct of Government upon this matter which deserved the severe censure which the Resolutions of the hon. Baronet were calculated to cast upon it. He should, therefore, for the reasons which he had already stated, give them his opposition if the hon. Baronet should persist in pressing them upon the House.

Mr. *Hume* thought, that the House and the country were deeply indebted to his hon. friend, the member for Cumberland, for the mode in which he had followed up this question from its commencement to its close. From the statement which had just been made to the House, he had no doubt that it was through inadvertence that the right hon. Baronet, in mentioning the course to be pursued with public business, had omitted to make any mention of what he intended to do with the bill which he had pledged the Government to introduce upon this subject. The question now before the House reduced itself to this:—were Ministers prepared to redeem the pledge which they had given upon a former occasion? For his own part, he must say, that it was his opinion, after the explanation which had just been afforded to the House, they were not in a condition to affirm the last of his hon. friend's Resolutions.

Mr. *Huskisson* said, that there could be no doubt that the Crown, by its prerogative, could admit sugars, being its property into the country free from all duty. So clear was the prerogative upon the point, so well known to every man who had the least acquaintance with the commercial and fiscal laws of the kingdom, that he considered that those who had submitted a case upon the point to the law-officers of the Crown had been guilty of an absurd act of supererogation. The only question was, as to the expediency of exercising that prerogatitive, which was admitted to exist by every man who had at all turned his attention to the subject. He then proceeded to state the reasons which would have induced him to protest against the expediency of exercising that prerogative, and to show that the Consolidated Fund was 50,000*l.* worse than it would have been had the surplus of these sugar duties been applied conformably to the provisions of the Act of Parliament. The receipts for these duties in two years had been 128,000*l.*, and the charge upon them during that time had been 84,000*l.*, so that there was a difference of nearly 50,000*l.* which did not appear to be accounted for in any return laid before Parliament. It was, therefore, only natural for the hon. Baronet, the member for Cumberland, to suppose, in the first instance, that this sum had been applied to the payment of the Ecclesiastical establishments in the West-Indies. It now turned out that it had not been so applied, and it appeared to him that after all that had been said, there was still room for some explanation respecting the application of those balances. Had they been applied to meet the charges on them within the year, or to pay off former arrears? Whilst there was any doubt on such points, the hon. member for Cumberland was perfectly justified in bringing forward his present Resolutions. He was of opinion, that after the 5th of July, when the accounts would be made up, the House ought to have presented to it an account of the nett surplus of these duties for the last three years. A large sum of money had been lost to the Consolidated Fund by the mode of dealing with these duties; and he, therefore was of opinion that there ought to remain on the Journals of the House a record of the opinion of the House, that the repetition of such conduct ought to be avoided.

Sir *Robert Peel:* The question which is now under the consideration of the House lies within a very narrow compass. If there be any doubt as to the appropriation of these funds, let any individual move for any returns, I care not of what nature, which he conceives likely to throw light upon it, and I will gladly second his motion for their production. I say that there has been no misappropriation of them. But at the same time I admit that it is only right that Parliament should be put into possession of every official guarantee that there has been no misappropriation. My right hon. friend, the member for Liverpool, says, that the proceeds of these duties for two years have been 128,000*l.* My right hon. friend is wrong: they will amount to that sum, but the sugars are sold, as he well knows, at a long credit, and as yet no part of the purchase money for those sold this year has been received; so that, from my right hon. friend's 128,000*l.* 61,000*l.* must for the present be deducted. If there be any doubt upon that point, let any man, I repeat, call for the official guarantees, which will remove it, and I will immediately grant them, if it be in my power. There is no ground for the censure which the hon. Baronet's resolutions cast upon Ministers, for, in point of fact, no new charge had been fixed upon these funds. They are already regulated by law, and the proceeds of these sugars, with the remission of duty, will, *pro tanto*, go to the Consolidated Fund in case of a surplus.

The *Chancellor of the Exchequer*, in consequence of an observation of Mr. Huskisson, the purport of which was not understood, interposed to explain. The Act of Parliament stated that the surplus of these funds should go to defray the expense of the Ecclesiastical Establishments, which was before defrayed out of the Consolidated Fund. The Treasury Minute authorized the payment of that expense from the Consolidated Fund, directing the proceeds of the four-and-a-half per cents to be paid to that fund: so that, in point of fact, the Ecclesiastical Establishments are ultimately paid out of the proceeds of the four and-a-half per cents.

Sir *Robert Peel*, in continuation, said, that such was his understanding, and such, he believed, was the understanding of the House. With regard to the other part of the question which the hon. Baronet had raised that evening, he thought that he (Sir R. Peel) had a right to complain. It was now a fortnight since his right hon. friend, the Chancellor of the Exchequer, had prepared a bill in consequence of the pledge which he (Sir R. Peel) had given publicly to the House, that a legal enactment should be introduced, restoring the former practice with respect to these sugars. That bill would be submitted to their consideration in the course of the present evening. He thought that the circumstances which had occurred in the interval since his right hon. friend had first mentioned this bill to him, would account for the delay which had taken place with regard to its introduction. When he read to the House, on a former evening, a list of the measures which he thought it necessary to abandon for the present Session, and also a list of those which he thought it advisable to carry through the House, the reason why he did not include that bill in the latter list was, that he had drawn up both lists from the Orders, and that that bill had not then been inserted in them. He would remind the hon. member for Cumberland of the private communication which took place between them on the 4th of June last, when he told the hon. Member that it was the intention of Ministers to bring in a bill to restore the former practice, and levy the usual duties on all goods imported for the Crown. After such a communication, he did not expect to find the conduct of Ministers made the subject of a hostile motion by the hon. Baronet, who ought to have previously ascertained, by a private communication with him, whether Ministers were inclined to redeem the pledge which they had given, or not. He should most willingly have given the hon. Baronet an answer in the affirmative if he had condescended to ask for it. It was placing Ministers in a very unfavourable situation, if, after they had, in private communications, afforded hon. Gentlemen every information in their power, they were still to be made the objects of hostile motions. It would be better for them not to hold private communication than to be liable, after they had granted all the information in their power, to the attacks of hon. Members, who persevered in complaints after the ground-work of them was removed. It appeared to him that the hon. Baronet had in this instance departed from that courtesy which he usually displayed. He trusted, however, that after the explanation which had been given by his right hon. friend near him, no hon. Member would join the hon. Baronet, should the hon. Baronet persevere, which he hoped he would not, in doing an act of injustice for the mere purpose of inflicting a personal censure on the members of Government.

Sir *J. Graham* said, that as he wished to stand fair, not only in the opinion of the right hon. Baronet, but also in that of the House, and of the country at large, he must beg leave to intrude for a short time upon their notice, whilst he defended himself from the charge of having departed from his usual courtesy. He had been singularly unfortunate if he had failed in making the right hon. Baronet understand, that since the private communication between them, new facts had come to his knowledge, which altered the whole view which he had previously taken of this case. Owing to a return, which he had moved for in consequence of certain private information which he had received subsequently to that communication, various facts had been disclosed to him of the greatest importance. He would not weary the House by a repetition of them, as he had already detailed them at great length. The right hon. Baronet had himself fixed the date of the private communication between them to the 4th of June, and the account of pensions, for which he had moved, was not ordered by the House to be printed till the 21st of June. Till that time, therefore, it was clear that he could not have been in possession of the facts which had induced him to bring forward these Resolutions. One word as to the introduction of the right hon. Baronet's bill. The right honorable Baronet had stated, both publicly in the House and privately in a communication to himself, that it was his intention to make that bill a substantive bill. In a subsequent communication which he had had with the Chancellor of the Exchequer, he had learned that there was a change in the intention of Ministers, and that they intended to deal with the promised bill by introducing it as a clause in the Customs' Amendment bill. Though the right hon. Gentleman said that there was now a notice on the Order Book for the introduction of this bill as a substantive measure, he (Sir J. Graham) could not know of it, as the Chancellor of the Exchequer's notice had been given subsequently to his own.

Sir *Robert Peel:* I give the hon. Baronet my word of honour that I saw the bill in question in a prepared state a fortnight ago. There was a point in it on which I myself entertained some doubt, and I showed it, in consequence, to my hon. and learned friend the Attorney General.

Sir *J. Graham:* Allow me to ask the Chancellor of the Exchequer whether there was not a change in the intention of Government subsequently to the preparation of this bill?

The *Chancellor of the Exchequer*: "Certainly there was." The right hon. Gentleman then repeated his former statement respecting the intentions of Government.

Mr. *Maberly* recommended his hon. friend, the member for Cumberland, as the constitutional question involved in his Resolutions would be settled by the bill, to withdraw them altogether.

Sir *C. Wetherell* defended the legal opinion which he had given respecting the right inherent in the Crown, by virtue of its prerogative, to import goods into the country duty free.

Sir J. Graham consented to withdraw his motion, which was accordingly withdrawn.

On the Question being put, that the Speaker do leave the Chair,

Lord *Althorp* said, that as this was the first step which the House was called upon to take, in furtherance of the course proposed to be pursued by Ministers, of abandoning almost the whole of the business before the House, and of omitting to do what could not be left undone without the risk of great danger to the State, he felt that he should not perform his duty, unless on the present occasion he entered his strong protest against the proceeding. By the motion which would shortly be proposed, the House would be called upon to sanction a dissolution of Parliament, not only before discussing the questions of the Civil List and a Regency, but under circumstances which would render nugatory almost all the labour of the present Session. Nearly all the results of constant attendance and great exertion during the last five months would be wholly lost. He was not satisfied, by anything which had been said on a former evening, that the opinions he then expressed were at all erroneous. Although he did not intend to give the House the trouble of dividing on the present occasion, he felt it impossible not to enter his solemn protest against the course pursued by his Majesty's Ministers.

The House resolved itself into a

COMMITTEE OF SUPPLY—VOTE OF CREDIT.] The *Chancellor of the Exchequer* rose to move for a grant of a sum of money on account of the demands on the Civil List, and also on account of the Estimates before the House, with respect to which the House had not yet come to any decision. With respect to the first branch of the subject, he would propose a measure analogous to one which was adopted on the occasion of the demise of George 3rd, when a sum was taken on account, to enable his then Majesty to make certain payments which were usually provided for out of the Consolidated Fund and Civil List. The sum which he proposed to take now was the same which was granted on the occasion to which he had alluded,—namely, 200,000*l.* With respect to the Estimates, he intended to take a certain sum on account for the whole of them, with only one exception. This exception was the vote relative to the disembodied Militia, which being the foundation of a measure introduced into the House, and having been sanctioned by a committee of the House, ought not, he thought, to be subjected to any reduction. With respect to the other votes for the public service, the House must be aware that at the present period a considerable portion of the money demanded from Parliament had necessarily been already expended. He therefore proposed to provide for the demands of the public service three months beyond the time originally fixed by the Estimates. By taking this course he should not preclude the most ample discussion on any particular item upon the re-assembling of Parliament, when the votes would be separately brought under the consideration of the House, and could be discussed with greater advantage than at the present moment. Although it was his intention to move for one general sum on account of the Estimates, he thought it right to guard against the possible appropriation of sums, intended for one service, to another, by introducing a clause into the Appropriation Act, specifying the purposes for which the money was voted. By the course which he proposed to pursue, there would be no possibility of divesting Parliament of the opportunity of discussing each item separately. Having stated the principle on which he proposed to proceed, in order to expedite the public business, and to avoid unnecessary discussion, he would conclude with putting the Resolution into the hands of the Chairman. He then moved—"That there be granted to his Majesty the sum of 200,000*l.*, towards satisfying such Annuities, Pensions, and other charges, as would have been payable out of the Consolidated Fund and Civil List, in case the demise of his late Majesty had not taken place before the 10th of October, 1830."

The question having been put,

Mr. *Hume* stated his entire concurrence in what had fallen from the noble mover, and from the hon. and learned Seconder of the Amendment, on a former night, particularly regarding the propriety of discussing the Civil List previous to the dissolution of Parliament. The reasons they had urged were unanswerable, and they had clearly shown that the question of the Civil List could never be discussed so advantageously for the public as at the present moment. Taking it for granted that the House had resolved that the course proposed by Ministers should be followed, he had no hesitation in admitting that the plan of taking money upon account was most likely to secure hereafter a fair consideration of the remaining Estimates. Many of them were important, and the charges in some, in his opinion, highly objectionable; but the mode suggested by the Chancellor of the Exchequer, was calculated to secure to them a more advantageous discussion than if they were now brought forward before the House; on the re-assembling of Parliament, Members would be better disposed to attend, and to join in the debate, than could be expected of them under present circumstances. After communicating with various individuals upon the subject, he was convinced that it would be hopeless to attempt to secure to such matters a fair and impartial hearing. He begged it to be clearly understood, that he did not concur in the vote from confidence in Ministers, and that he should be perfectly consistent if, in the next Parliament, should he have the good fortune to enjoy a seat in it, he resisted the votes for what he was now, under the circumstances, willing to grant—money on account. When he recollected that it was the prerogative of the King to dismiss Parliament when he pleased, and that it had already been determined by two majorities, though not considerable, that what was recommended was the fit course to be pursued, he could not expect, even if he wished it now, to bring on a discussion of the remaining estimates. He certainly highly disapproved of many of the decisions to which the House had come regarding the public expenditure, but he struck the balance of good and evil, by placing on the other side of the sheet the grant of Catholic Emancipation and relief to the Dissenters. If the noble Duke were to remain at the head of the Government, he hoped that a new Parliament would meet, with a determination to exact from Ministers the effectual reductions which the state of the country demanded; and he should take as a test of the disposition of those Ministers the amount of Civil List they required. He trusted, before the House separated, it would order such Returns to be made as would give the fullest information on the subject, and that the Reports of 1812 and 1815 would be duly weighed and examined. He also trusted that a statement would be produced of the expenditure of the Civil List, from 1790 to 1796, and for the years 1815 and 1816, in order that a just comparison might be made. He was willing, in settling the Civil List, to provide liberally for the maintenance of his Majesty; he wished to withhold nothing that was necessary for the comfort, and even for the splendour of the Crown, but he would prevent all needless extravagance. From the character of his present Majesty, the country had a right to expect that he would not call upon it for more than was necessary for the due support of the Royal dignity. Whenever the time for inquiry into this subject might come, it was absolutely necessary to get rid of the prevailing complexity of accounts: nevertheless, as they at present existed, they afforded some useful information, and a return, for which he had moved at the opening of the last reign, shewed that during the reign of George 3rd, no less than 12,705,461*l.* had come into the possession of the Crown from the Droits of Admiralty, the 4½ per-cent duties, the Scotch revenue, and other sources beyond the control or cognizance of Parliament. Every shilling of this enormous sum ought to have been placed in the public purse. In particular he objected to the impolicy of the system pursued with regard to the Scotch revenue, under which favouritism and corruption had been long encouraged. He referred to what had been said on a former night respecting the freeing of the Civil List from the anomalies at present existing in it; for instance, he could not conceive why the Speaker of the House of Commons should be paid, partly out of that fund, and partly out of some other. The same remark would apply to the salaries of the Judges. The diplomatic service was not the least expensive establishment connected with the Civil List, and he hoped that in future it would be placed directly under the control of Parliament. He entreated attention to another item—the Pension List. There was no branch of the public service so strongly and so justly disapproved of by the public as the enormous amount of the Pension List. When they saw 95,000*l.* of the English Civil List, 50,000*l.* of the Irish Civil List, and 25,000*l.* of the Scotch Civil List, taken from the control of Parliament, it was reasonable that they should be dissatisfied. He saw no reason why all distinction between the Civil Lists of the three kingdoms should not be done away with, and confined solely to the King's household, while all the expenses relating to Scotland and Ireland ought to be simplified, and annually laid before the House of Commons. If, on the meeting of a new Parliament, Ministers should not be found disposed to retrench all unnecessary expenditure, notwithstanding the reluctance they had shown of late years to interfere, he hoped that the Representatives of the people, in obedience to the wishes of their constituents, would compel the servants of the Crown to pursue a more economical course, and to adopt measures suitable to the present condition of the country. To one point he especially entreated the right hon. Gentleman (Sir R. Peel) to attend. No abuses had been so great as those connected with the 4½ per-cent duties; upwards of 6,500,000*l.* had been received since the establishment of those duties. He never could understand why the House had voted against the motion he had brought forward, for an account of the English Pension List. Perhaps what he was saying might not be well timed; but if he lost this opportunity of stating his opinion, as soon as the Supplies were voted, there would be but little chance that he should find another. He maintained, that the House ought not to grant the Civil List until the 4½-per-cents, and other funds, were taken from the power of the Crown, and placed under the control of the House of Commons. A new Parliament ought also to set at rest the question of Droits of Admiralty; for it was a strange regulation, that the Sovereign, who had the right to declare war, should be entitled to a share of the plunder; although it was not for a moment to be supposed that such a motive had any influence, it was liable to suspicion. Besides, it was impossible not to perceive, that the collection of the Droits was sometimes attended with serious hardships. When the Danish war broke out, the Danish property in this country was seized, and the English property in

Denmark was also seized, and it might have been supposed that the Danish property would have been made available to compensate the losses of the English: but no such thing; it was appropriated to the Crown, and the House had heard the sufferers at their bar last night, claiming by petitions some redress for the ruin that was brought on them by this country declaring war against Denmark in 1807. In his opinion, then, the 4½ per-cent duties, and the Droits of Admiralty, should be taken out of the control of the Monarch. He also complained that the King could raise what money he pleased in Gibraltar by way of taxes, and apply it to his own use, whilst this country defrayed the expenses of that garrison. In conclusion he exhorted Ministers to act upon the principle of retrenchment, and then, he said, they need be under no apprehension as to the result of divisions in that House.

Mr. *Lennard* said, that under existing circumstances, he would offer no opposition to the vote before the House; but he gave notice that if he should have a seat in the House next Session, he would propose to refer the civil contingencies to a committee up-stairs. He trusted that Ministers would not forget the declaration which Mr. Pitt made, when he proposed to increase the Civil List. Mr. Pitt said, he did not wish to increase the revenues possessed by the Crown, but only to meet the increased expenses of the time, occasioned by the depreciation of money. In arranging the new Civil List, Government should fix it rather upon the scale of expense existing at the commencement of the reign of George 3rd, than at the commencement of the reign of his successor.

Resolution agreed to.

IRISH ESTIMATES.] The next Resolution was granting to his Majesty 1,126, 554*l*., for defraying the charges of Miscellaneous Services in Ireland, the Army Extraordinaries, the Commissariat, the Civil Contingences, and the repairs and improvements of Windsor Castle for nine months of 1830.

Mr. *Spring Rice* complained of the number of incongruous items mixed up in this Resolution. To some he might not be prepared to agree, but it was extremely difficult to make his observations intelligible. He had, however, many objections to make to this vote. In the first place, the committee which sat above stairs upon the subject of Irish affairs recommended that all the miscellaneous estimates for Ireland should be brought forward upon the responsibility of the Treasury in this country, as a matter of national expenditure, and not as a matter of Irish policy, by and upon the responsibility alone of the Irish Secretary—that was a recommendation at once approved and neglected. It was not from any want of confidence in the noble Lord opposite that he made that observation, but from a knowledge of the difficulties by which any one holding his situation was surrounded—the spirit of Irish jobbing met him every where. The moment the Irish Secretary arrived at the Castle, he was surrounded by all the pensioners, placemen, and sinecurists who had an interest in maintaining these estimates at an elevated point, and in prevailing upon the Government to abandon the recommendations of the committee. For that reason then, as well as for others not less cogent, he wished rather to see the matter in the hands of public functionaries at this side of the water, than at the other; and for proof that he was not making this observation on insufficient grounds, he would appeal to the right hon. Gentlemen who sat at each side of his noble friend, both of whom had been Secretaries in Ireland. It had often been urged by hon. Members representing places in England, that Ireland was an expense to this country. Now the true mode of getting rid of, or at least diminishing that expense, would be to reduce the estimates for establishments in that country; and he therefore appealed for support to the English Members whom he saw around him. Of this they might rest assured, that if they yielded to the advice which recommended them to leave those establishments to expire of their own accord, they would never live to witness that expiration. Nothing could be more gross or unblushing than the frauds practised respecting a particular class of establishments in Ireland—he meant the Charter Schools; there the romance of renewed youth appeared to be brought into real life and actual practice; for in those places children were found to grow younger and younger every year; the same parties which, in a certain year, had one age placed opposite to their names in returns, in the succeeding year were found to be younger by a year and some months. For the remedy of this, and other evils of a like character, in those establishments, he would suggest the appointment of a Board of Commissioners to institute a strict inquiry into the nature and extent of the existing abuses. He saw that his right hon. friend, the Chancellor of the Exchequer, was opposed to that suggestion; but he begged to assure him, and the House, that nothing could be further from his intention than to recommend the appointment of a paid Board. The next subject to which he should call their attention was one of much importance—that of education in Ireland. Year after year he had made suggestions on that subject, and always without effect; for, year after year, the Government, in each instance in which he had pressed the subject upon its consideration, asked for time to mature and arrange their plans: at one time there was a new Government, at another a new Secretary, and at another, a new plan in agitation; and so they went on, from year to year, promising much, and doing little; in fact, doing nothing, but voting public money. On every occasion Government said it would either adopt the recommendations that came from that side of the House, or bring forward some plan of its own, or ask for no more of the public money; but the House must be fully aware that matters appeared to be as far from improvement as ever. The education that was given was an education not calculated to inspire kindness or brotherly love, but very opposite dispositions; it was a system, too, by which education was given to those who had little need of it, and denied to many by whom the want of it was severely felt. He was sure that most of the hon. Members who heard him would admit that the grants for public education in Ireland ought to be withdrawn altogether, or else Government ought to devise some plan which should—not give satisfaction to all men, for that would be impracticable and visionary—but should meet the wishes and expectations of the just, wise, and impartial men of every class, and, above all things, prevent the public money from being given to particular classes—from being used to excite those party feelings which the great measure of last year would, if properly followed up, tend to allay. Some decisive plan ought, indisputably, to be adopted, and with some slight modifications, he thought a better would probably not be devised than that recommended in the report of the committee of which he was chairman. The hon Gentleman then proceeded to notice the amount paid to Irish Newspapers for proclamations. He said it was a vote as injurious to the character of the Press, as the proposal respecting Irish Newspaper Stamp-duties would be sure to prove injurious to their circulation. He next objected to the expense of maintaining what was called the Irish-office in London—it was a source of expense and delay, without any corresponding advantage; it was defended only on the ground of its being made available for the purpose of securing a supply of the various papers that might be moved for in Parliament: yet what was the fact? There was no source from which parliamentary information was derived after so much delay as from the Irish-office. The expenses attendant upon the publication of ancient records was also another ground of complaint; it was extremely desirable that the ancient history of the country should receive all practicable illustration, but he thought that object was not forwarded in a manner creditable to the commissioners, by the publication of extracts from the Memoirs of Captain Rock, and a pamphlet attributed to a right hon. Member of that House, entitled, "A View of Ireland, Past and Present." There was another channel into which the public money was, as he conceived, most improperly directed; he alluded to the grants for public works; those sums, he thought, ought not to be voted away in large masses, but should rather be so granted as to develope the means and resources of the country, producing good, not evil. The best way, in his opinion, of making such grants was, as loans payable out of the County-rates. In illustration of the beneficial effect of such loans, he adverted to the gradual increase of the Customs and Excise in those parts of Ireland where they had been granted, and where, by the increased prosperity of the districts, they yielded a four-fold return. The reform of Juries was another point upon which nothing had been done, or was likely to be done, in the present Session; the same was true of Sheriffs, and especially of Sheriffs in corporate towns. The mode of appointing Sheriffs in the City of Dublin was a disgrace to the country. He was aware that nothing would be done respecting these subjects, or respecting the Subletting Act, or the Arms Act, and a variety of others. Neither was the affair of Sir Jonah Barrington proceeded in. After an

Address had been agreed to, praying his removal, the whole matter was abandoned, and he was yet left in the full discharge of judicial functions and authority. The hon. Gentleman concluded by complaining, in strong terms, of the jobbing and abuse which marked the whole system of the Irish Government.

Lord *F. L. Gower*, after thanking the hon. Gentleman opposite for the spirit and tone which characterised his observations, replied, respecting the necessity of having the Irish Estimates proceed from the Treasury here, that they were always submitted to his right hon. friends, and brought forward with their approbation. He admitted the perplexity to which Irish Secretaries were exposed, and expressed his sense of obligation to his hon. friend for the sympathy which he felt with the pain which those difficulties occasioned. The suggestion respecting the appointment of Commissioners of Inquiry was not without its value, and should receive the best consideration, though it might be attended with some serious difficulties. With respect to the Charter-schools, and other establishments, he had only to say, that the reductions since 1827 had amounted to 80,950*l.* On the subject of Irish education he must observe, that general satisfaction could not be given by any system which did not satisfy the great religious bodies into which the country was divided —and that, he feared, would be extremely difficult, not to say impossible. Respecting the objection taken to the sum voted for Proclamations, he had only to say, that so little had he meddled in any matters connected with the Press, that though he could not undertake to say what might have been the amount of influence formerly exercised by the Irish Government over the Press, he could safely say, that at present it exercised no influence whatever.

Mr. *Brougham* said, he should consider himself wanting to his duty, if he did not profit by the present opportunity to make a few observations on a subject which he felt it was necessary to press on the attention of the House. At a crisis like the present, when Members were about to be reduced to the station of private individuals, and sent back to their constituents, to answer for the trust which had been reposed in them as representatives of the opinions of others, he perceived that there existed a general apathy in the House, and a disinclination to enter into minute details whilst their minds were engrossed with the personal considerations which the approaching event had suggested. He feared that the attempt which he was then about to make would be unavailing; indeed, for the reason already mentioned, he was almost hopeless of success. Nevertheless, he would beg that they might consider well upon the course which they had it in contemplation to pursue. There were many estimates before them on which respectively a great diversity of opinion was known to prevail, yet they were all lumped together, and the House was called upon to vote on all of them at once in the aggregate. The expenses of Windsor Castle were included amongst many others, as were also those of the Rideau canal, in Canada, on both of which there was considerable difference of opinion. With respect to the Rideau canal, it was in itself a subject that deserved an exclusive deliberation, and an hon. Member (Mr. Stanley) whose local experience and personal observation, aided by his own acute understanding, entitled him to particular deference and attention, had already, about five weeks ago, given a notice of motion with respect to it, which had not yet been discussed. On the expenses of Windsor Castle there was also a material difference of opinion, which had been more than once loudly declared, or, he might rather say, there was a general concurrence against the vote. In fact, so plainly had the feeling of the House been expressed, that the Chancellor of the Exchequer, at one period, in the absence of the right hon. Secretary for the Home Department, had withdrawn the vote, and consented to let it go to a committee above stairs. Of that committee he was not himself a member, nor had he been present at many of their sittings. Neither did he know whether they had even yet made their report, but he did attend for a short time, while they were receiving the evidence of an intelligent and well-informed architect, and from the little he had heard, he would assert, without hesitation or fear of contradiction, that the report of that committee, if it were in conformity with the evidence submitted to them, so far from removing the doubts entertained already by the House, would only render them more averse from the vote than they had ever been before; yet were they now called upon, to assent to a lumping vote of the gross sum of 1,100,000*l.* including amongst its items the expense of the Rideau Canal, and of Windsor Castle. They were told that by acceding to this vote, they would not commit themselves to any distinct pledge: and, certainly, by the words of their answer to the King's gracious Message they could not so commit themselves, for they had merely rendered a cordial acceptance to a Royal courtesy. But he would ask, how was it possible to commit himself more, or how could he possibly contrive to commit his constituents further, than by acceding to a lumping vote such as that now proposed? What more could he do in the way of committing both himself and them, than thus to transfer an enormous sum of money out of their pockets to the disposal of Ministers? If that was not committing himself, he wished to know what was? They might hereafter protest against the expenses which would be only the regular consequence of their vote of to-night; they might fondly exclaim that they altogether disapproved of the estimates for both Canal and Castle, but the answer would be at hand—"You voted for both, you gave money for both; that money has been expended in conformity with your vote, and it is now idle to affect disapprobation." They should pause, he conjured them to pause, before they adopted the course which they now intended to pursue. All that he had heard, seen, or read, within the last few days only tended to increase his anxiety for the weighty, the awful responsibility which attached to them at the present perilous juncture, and he hoped they would acquit themselves of it as became the representatives of a free, powerful, and enlightened people. Be it yet remembered, whatever might happen to the country, whatever might befal the highest political interests of the state, whatever might be the risk to which the succession would be exposed,—be it remembered that blame could not justly be imputed to Parliament; for this step had been taken by the official advisers of the Crown, and that with them, therefore, rested the chief responsibility. But would they, however, stand wholly absolved from reproach, would not they be held morally responsible for what never could have happened, had they not been guilty of a dereliction of their duty? They, before whom had been laid, by the courtesy of the Crown, a gracious Message, which gave them an option in their own dissolution, how could they hope to be held guiltless? How, he repeated, could they be considered exempt from culpability, if they voted in the affirmative on the present proposition, which would enable Government to proceed to a dissolution without having taken measures for the security of the nation, the stability of the Monarchy, and the maintenance of the Constitution? Let them consider further, that the onus of the responsibility had been shifted as far as possible from Ministers themselves to the Legislature, by the expedient to which they had had recourse. Now, while the monarchy was insecure, and the most important interests of the nation might be pronounced in jeopardy, he could not enter into miserable discussions about 2*d.* or 3*d.*; it was indifferent to him whether the Irish Secretary's office was at Whitehall or at any other part of Westminster, although it was to debate upon topics such as these, that their attention had been drawn away from the momentous subject which should have superseded every other consideration. The constitution of the country was about to be placed in peril, and the peace of the whole empire) for to that it might come at last) would be ultimately involved in the great question to which he had adverted. This was the view that he had taken of the present posture of affairs, and his opinions, as already stated on Wednesday last, had been rooted and confirmed by the succeeding interval of reflection. He hoped that some other hon. Member, whose avocations and opportunities allowed of his taking up this virtually important subject, would take what he had said, as a respectful warning of the danger which it was the imperative duty of the Legislature to avert, and give them an opportunity to discuss it adequately, not incidentally, as they had done the other night, and raise it up for consideration by itself, apart from the Civil List, or any other contingent topic of debate. They should warn the Crown against the advice which had unhappily been tendered to it, and even if unsuccessful in the effort, they would at least enjoy the satisfaction of having acquitted their own minds of the responsibility, and console themselves by reflecting that, happen what might, the fault would not be theirs.

Mr. *Maberly* said, he rose for the purpose of saying a few words in vindication of his vote. Ministers had said, that Parliament must be called together so early as October, inasmuch as the supplies would be insufficient to enable them to go on longer; and he trusted that they would, in the mean time, suspend the works at Windsor Castle. It was impossible to discuss the Estimates then, but he hoped that they would be closely examined by the other Parliament. He should therefore vote for the proposed Estimate, because he was unwilling to harass Government, but should not hereafter consider himself pledged by his present vote.

Sir *R. Peel* said, that in considering the argument of the hon. and learned Gentleman opposite, he should treat of the two objections which he had made to this Estimate, but did not mean to treat of them in the order in which they had been suggested. His second objection, that it would prevent them from entering into the Regency Question, deserved a primary consideration, as it was by far the most important. The other related merely to the form of the vote. He held in his hand the second communication that had been sent by that House since the late accession to the Throne, in reply to a most gracious Message from his Majesty, [The right hon. Baronet here read the Address] which promised, in compliance with the Royal Message, to make temporary provision for the public service, and meet the immediate exigencies of the State without delay. Owing to the arrangement made on the occasion, an answer to such Address had not yet reached that House but the purport of their Resolution was of course immediately made known to his Majesty. How then, he asked, could they now think of doing what the hon. and learned Gentleman proposed? How could they retract on Friday that to which they had assented on Wednesday? With what grace could they say that they had already changed their minds, and immediately press the Crown to recommend a Regency, by exercising the compulsory power which was given them by their control over the finances of the country. Would such a course, he put it to the candour of the House, be respectful to the Crown or satisfactory to the people? Consistency required, that they should refuse to adopt it, the whole House having been pledged by the act of the majority. At the same time it was competent for the hon. and learned Gentleman to give a notice of motion on the subject if he thought proper. He doubted, nevertheless, whether any Member of the late minority would now recommend such a proceeding. As to the form of the vote, he thought that all those with whom the argument already mentioned had no weight must approve of it, as thus taking a general vote for a limited time was a sufficient guarantee that Parliament would be assembled early, and the objection against voting on account was obviated by the clause in the Appropriation Act, which required that each item of the Estimates should be distributed according to what was due to it, instead of allowing the surplus from one to make good the deficiencies of another. On the whole, therefore, he submitted it would appear that Government had resorted to the expedient best calculated to satisfy the scruples of the House, and least liable to objection.

Lord *Althorp* begged it might be distinctly understood, that neither he, nor any of those Members who had voted against the Address, were responsible for whatever consequences might ensue from the Government passing over at present the most important business. He for one objected to the course which it was proposed to pursue, and he protested against being implicated in whatever consequences might follow. He thought that the protest of his hon. and learned friend did him great credit, and in that he should most cordially join.

Mr. *Huskisson* agreed with his right hon. friend, that it would be inconsistent with the vote to which the House came on a former occasion not to vote the proposed supply, and he was glad to hear that there was no intention of precluding the House of Commons hereafter from a full examination of the manner in which it was disposed of. He wished, however, to say, that under the circumstances of the country, looking to the fearful contingencies which might arise, —in particular, looking at the situation in which the Monarchy would be placed if one of these contingencies should ensue, if the Parliament were to separate without making some provision—without adopting some measure against that alarming contingency, should it occur before the Parliament again met—looking at what he must call fearful contingencies, he hoped that some hon. Member, the noble Lord, or the hon. and learned Member, would, by proposing an Address to the Throne, or some other measure, take means to place before the Monarch the danger to which the country and the Monarchy would be exposed. He was taken completely by surprise when the Address was proposed; [*hear*] he said yes — taken by surprise—though he knew there were some Gentlemen who were satisfied with a cheer, and never required any other authority for their votes than the dictate of the Treasury, and who could never be taken by surprise; but he was, and after having since investigated the subject as far as his time would allow, he did think that it was imperative on Parliament to take these important questions into consideration. The House must take its share of the consequences, should any danger accrue to the public service, before those questions could be brought under discussion in October. The people, too, he believed, would be taken by surprise. With respect to the form of the vote he believed it was not usual to take a vote of credit for the whole sum. He wished to know to what branches of the public service the 1,100,000*l.* and in what proportions it was to be appropriated. He knew that a clause in the Appropriation Act would specify this, but that clause most Gentlemen would be unacquainted with, and a period of the Session had arrived when all the estimates ought to have been voted and applied. He had sat in that House for thirty-six years, and he never remembered business being so much delayed. He appealed to the hon. member for Dorsetshire, who had sat in the House longer than he had, if he ever remembered the business being so much in arrear as at present. This he attributed to the want of leisure and authority in the Ministers, and to the anomalous course they had pursued. The hon. member for Abingdon said, that we might discuss the Estimates in October, but he was afraid that when that time came there would be so many more important questions for discussion, that it would not be found feasible to discuss details. He would again remind the House that they were now about to appropriate what had not been applied for in a Committee of Supply.

Sir *R. Peel* would be very glad if there were any authority belonging to the Ministers to procure a refractory House of Commons to side with them. But it was not possible for Ministers to tell Members that they should not bring forward motions, and give notices of motions; the Members would do as they pleased, and he was afraid that he should not again see a tractable House of Commons. When his right hon. friend complained of the delay of business, he might perhaps, recollect that he was in the Ministry when the Army Estimates were debated for sixteen nights.

Sir *Richard Vyvyan* said, that it was because he differed from the hon. and learned Gentleman as to the propriety of discussing the Regency Question, whilst he thought that the House ought to enter into some deliberation upon financial matters, that he wished to make some observations on that occasion, and he was the more anxious to state his sentiments in consequence of the invitation which that learned Member had thrown out, and in which he had been followed by the right hon. member for Liverpool, both of whom seemed anxious to bring on a second discussion upon the subject of a provisional or permanent Regency. It was clear that if Parliament had continued to discuss the Estimates in the same temper in which it had considered those already passed, the House could not have been dissolved for the next two or three months, had it not been for the calamitous event which produced the Message from his present Majesty. Many Gentlemen had argued it as if it was in the power of the House on some future occasion, to meet again and to debate upon each separate item of expense with the same degree of care which had been observed, perhaps in some respects too minutely, during the early part of the present Session; but it should be remembered that Parliament was within a fortnight of its dissolution, and that however some Members might expect to be again returned by their constituents, as the representatives of the nation, there were chances that such might not be the case; and therefore duty ought to compel them to enter upon all subjects which affected the interests of the people. It was possible that they might not again have an opportunity of looking into the grounds upon which the votes of credit were called for by the Government. If report spoke truly, it was more than probable that the hon. member for Aberdeen, who, to the astonishment of the House, had held language that night wholly differing from anything that had proceeded from him on any other occasion, about the impropriety of wasting the time of the House by idle discussion, and the necessity of reserving themselves for future consideration, might not again be returned for the same place, and his constituents, those at least whom he now represented, would have a just ground for complaint, that he had neglected their interests—that he had adopted a new line of conduct, and advocated an incautious voting away of the public money. He had less hesitation in making this personal application of the argument to the hon. member for Aberdeen, because his conduct that evening might have had no inconsiderable influence on the determination of the House, and might have hindered that wholesome inquiry into the grounds on which the Government had been induced to propose the votes then under consideration. He felt the more suspicious, when he heard the right hon. Baronet compliment the hon. member for Aberdeen, and the hon. member for Abingdon (Mr. Maberly) on their feelings of delicacy towards his Majesty's Government—feelings which, on the part of these hon. Members, were perfectly new: and therefore, perhaps, they were now to be appealed to by the Administration, as Gentlemen than whom there could not be greater authorities, upon all matters of finance, in the House. After all, this might be only an expression of grateful feeling on the part of the right hon. Baronet; he owed something to the hon. member for Aberdeen, in consequence of his conduct that evening, and he had repaid him to his own satisfaction, although, perchance, in language for which the hon. Member himself and the House were little prepared. As to delay, who was more responsible for it than the hon. Member? Who had occupied so much of the time of the House on every occasion? It was passing strange, that to night, when a large sweeping proposition of a financial nature was made by the Government, without details, the hon. member for Aberdeen should neglect the interests of his Aberdeen friends, and become prodigal of the public money. But he had done the Government a service, which acknowledged it with a profusion of gratitude. Henceforward, he was to be their great financial authority, and the House in future must look to his decision as their guide. He wished to say a very few words upon the great question of a Regency, which had been again brought forward by several hon. Gentlemen, though he wished to do so without committing himself in any way about persons or modes of arrangement, or saying anything that might excite an angry or an unpleasant feeling. No question of greater delicacy could have been propounded to the House, considering the present position of all parties concerned. It should be recollected that a very short time had elapsed since Providence had inflicted upon the country the blow which had produced the Message from the Crown, recommending the House to prepare for a dissolution: a few days only had passed since we had been deprived of one Sovereign, and his funeral ceremonies had not yet been performed. Was it then decent to press the matter of a Regency in a certain quarter, when it was obvious that within three months a new Parliament would be assembled, and another demise of the Crown, although within the verge of possibility, was far from being probable; to say nothing of what had already passed, of the vote of the House upon the subject, and of the Address that had already been presented to the Crown, an answer to which might be expected in a day or two at the furthest? It would, in his opinion, be indecorous to provoke another discussion, unless the House were recommended to do so, in a constitutional way, by the responsible Ministers of the Crown; and unless it knew that, in a certain quarter, there was an inclination to have the subject brought under deliberation. He agreed, therefore, with those who thought that it would not be proper at the present moment to take this question into further consideration; and thus far his views coincided with the argument of the right hon. Baronet; he was willing to admit that the Address which had been presented precluded the House from any continued debate upon this ground. At present the House had not merely to discuss, if it thought fit, the votes submitted to its decision, and the appropriation of the various sums which had been granted, including sums destined for objects entirely distinct one from the other; but as it was not merely the close of a Session, but the termination of the life of Parliament, during the existence of which many important measures had been passed, and some great problems in foreign policy were yet unsolved; he thought hon. Members would not perform their duty to their constituents, were they to avoid taking something like a summary view of the proceedings of the Administration upon certain great and leading questions; and considering that no more fitting occasion could offer itself than that, when so sweeping a vote was proposed, upon what might possibly be the last night of any serious discussion, during the last Session of the present Parliament, he meant to profit by that occasion to make a few remarks on some important subjects. He could not avoid again expressing what he had before said about a total want of confidence on his part in his Majesty's present Administration, whether he looked to their home policy—their commercial or foreign policy—or to the line of conduct that had been pursued by them in and out of Parliament, including this very question of a speedy and unnecessary dissolution. On all sides he saw great and serious cause for dissatisfaction, and he must express a hope that such changes might take place in the Cabinet as would hold out to the country the prospect of advantageous alterations in the conduct both of our foreign and domestic public affairs. So far from agreeing with the right hon. Gentleman, that the House would be shewing a proper respect to its constituents in abstaining from any such discussion, he thought that, immediately before a dissolution of Parliament, when Members were about to be returned to their constituents, to render an account of their stewardship, that they would not perform their duty were they to be silent in cases which admitted of a most extended and ample discussion. If they turned to the foreign policy of the country, in which, be it observed, scarcely any explanation had been offered to the House or the country by the Administration, they would find that never was England in a more disgraceful position; more looked down upon by foreign powers, more distrusted by those who were supposed to have confided in her promises of assistance, than at the present moment. What was her situation with regard to the East of Europe? She entered into an alliance, whether justly or unjustly he did not then inquire, for the purpose of interfering in the internal concerns of a third Power. England had gone so far as to oblige Turkey to surrender a considerable part of her dominions; a Sovereign was nominated by England and her Allies, without consulting the inhabitants of these ceded districts; this Sovereign, for reasons best known to himself, and to the English Administration, had thought it right to abdicate the sceptre before he wielded it; and so far as regarded the future government of Greece, England was precisely in the same situation now as six or eight months ago. Parliament knew not to what an extent the ambitious designs of a great northern Power might have been counteracted by the interference of England,—it knew nothing of the relative situation of the different Powers of Europe, and the grand question of the balance of power in the civilized world was never more uncertain than at the present moment. In Portugal, the commerce of England was at a stand, and who the Sovereign of that country might be was uncertain. In short, to which side soever the House looked, as far as the foreign connexions of the country were concerned, there was ample cause for apprehension, and for distrusting those who wielded the destinies of England. How many subjects were there on which it would be material that Parliament should be informed if the executive Government would condescend to give the information? Some weeks ago he asked the right hon. Baronet, if he had any objections to produce the papers connected with the negotiations which had taken place before the signature of the Protocol at St. Petersburgh, and the Treaty of the 6th of July, 1827. If the papers relative to those negotiations had been produced they would have explained the reasons by which the British Cabinet was actuated when it interfered between Russia and Turkey. The answer of the right hon. Gentleman was, that the exhibition of such papers would be detrimental to the public service; and not being one of those who would promote inquiries into our foreign diplomacy, or indulge a curiosity which could not be gratified without mischief to pending negotiations, he had forborne to press for further elucidation. Gentlemen would recollect that those questions were not matters of ordinary importance; but he might be asked, what had that to do with the subject before the House? He replied, that the House was then deliberating upon the expenses of the nation; that a large fleet, on a war establishment, had been maintained for two years in the Mediterranean, in consequence of the mysterious transaction to which he was alluding; and it was not too much to expect from the House, that, before the conclusion of the Session, some attention should be paid by those who stood guard over the public purse and were bound to cherish the liberties of England. The balance of power was no idle term, at any rate the Administration of this country had deemed it of much importance, or it would not have interfered in the quarrels which had arisen between foreign nations, which had been supposed to endanger that balance. He feared that there was little in the present condition of Europe which could excite feelings of satisfaction on the part of those who hoped for the continuance of peace but much which would lead them to expect, that, before long, a great struggle would take place between the two parties in Europe who professed opposite opinions upon the subject of national liberty. A great trial was going on in France; the administration of that country, placed nearly in the same predicament as that of the British Government with regard to the Parliament, had advised the Sovereign to make an appeal to the people. Of the result of that appeal there could be little doubt. It was well known that the elections had generally fallen out unfavourable to the Polignac administration; and it must either succumb, or proceed to more violent measures than those which it had hitherto adopted. He could not suppose, unless all the members of that administration were insane, that they would recommend their Sovereign to persist in opposing the sentiments of the nation, or to make an attempt to subvert the liberties of France. He did not speak as a Liberal in the sense of those who, on the continent of Europe, had tried to light up the flames of civil war; but he did rejoice, that in France the supporters of absolute governments, the haters of civil and religious liberty, had met with a check which must tend eventually to put an end to their schemes, however, for a short season, they might endeavour to struggle against the rising energies of civilized Europe. It had been widely circulated that there was a most intimate connexion between the Administration of this country and the present government of France; it had been stated that the British Government had supported the Polignac administration against the wishes of the French people. The right hon. Baronet, at the beginning of this Session gave an assurance to the House, that the Duke of Wellington's Government had nothing to do with the ejection of the Martignac administration, and the appointment of that which was headed by the Prince Polignac. He should be glad to hear a renewal of an assurance that there was no communication between the two Cabinets, beyond that which might fairly exist between the executive governments of two countries well-disposed towards each other. He should also be glad to hear from the right hon. Baronet that, so far as he was aware, there was no intention on the part of the great Powers of Europe to interfere in the internal arrangements of France, should the elections in that country produce a result not altogether consonant to their feelings. One main ground of his opposition to the Duke of Wellington's Administration was, a fear, almost amounting to a conviction, that, for some time past, there had been a closer connexion between it and the despotic governments of Europe, having for its object to keep down the rising spirit of liberty in different countries, and more especially in France—a connexion more intimate than could be advantageous either to this country, to France, or to any other in which liberal institutions were maintained. Nothing, therefore, would give him greater satisfaction than to find that he was wrong in his suspicions; and that events should prove the correctness of the assurances given by the British Cabinet upon that point. He had touched as briefly as possible upon this great question of foreign policy: he had said nothing upon other subjects connected with the domestic government of this country; not that there was no ground of complaint upon that head—not that the distress in Ireland, which daily increased, and had goaded the people, in many parts of that country, to desperation, was not a subject-matter for debate; not that in England every interest had not suffered in consequence of the depreciation of property, that depreciation having been produced either by an alteration in the laws which regulated our commercial policy, or by that which he should always consider one of the most pernicious measures that ever blighted the prospects of a great country—he meant the Currency regulation, which prevented the energies of Great Britain from unfolding themselves, and cramped all classes instead of enabling them to meet their immense financial difficulties; it was not because upon this, and upon many other subjects, much might not be said, but because he was convinced that the time was at length arrived, when, from one end of the empire to the other, the people would rouse themselves and pour in petitions to Parliament, if Parliament should be assembled early in the Autumn, or addressed to the Throne, if the assembling of Parliament should be delayed until shortly before Christmas; or, what would be still more disadvantageous to the country than even the immediate dissolution of Parliament, should it not be assembled again till after Christmas. The petitions and addresses of the people would speak in language no longer to be misunderstood, and the Legislature would be obliged to apply itself seriously and resolutely to the consideration of the awful position of this country. With regard to the dissolution proposed by his Majesty's Government, he objected on principle to any communication being made to Parliament upon the subject. He objected to it as an attempt to shift the responsibility from the shoulders of those who ought to bear it—from the Ministers to the two Houses of the Legislature. All those votes then upon the Table, instead of being passed without discussion or examination, might have been examined and curtailed. The dissolution appeared to him unnecessary, so far as the interests of the country were concerned. No doubt there were reasons which his Majesty's servants might think imperative, for their thus making an appeal to the people—reasons which were manifest in the long debates, and the disinclination of the House of Commons to repose confidence in the Executive Government. There could not be a stronger proof of the impotency of the Duke of Wellington's Government than the fact that it had no influence in that House of Parliament: the divisions which had frequently occurred, proved that the Commons of England had no confidence in his Administration; and although many difficulties had existed in consequence of the dislocation of parties, the advantages resulting from which had been duly appreciated by the Government; and, although there had been no coalition between the three sections of the Opposition, it was an admitted fact, that, with the present House of Commons, the Administration could not carry on the business of the country. He repeated, that there had been no coalition between the three sections of Opposition, and had such a coalition taken place at the commencement of the Session, the Ministry could not have remained in place for six weeks. He was not sorry that the Members of Parliament were about to be returned to their constituents; it would be for them to approve or disapprove of their Representatives' conduct, and it would be for them to express their confidence or distrust of the Duke of Wellington's Administration.

Sir *R. Peel* said, the hon. Baronet had requested that he would repeat the statement which he had made in an early part of the Session, that the English Government were in no way connected with the appointment of the Prince de Polignac as the head of the Ministry in France. It really seemed scarcely necessary to repeat the denial of an assertion so absurd as that the Government of this country would attempt to force a minister upon such a country as France; but as it might prevent the continuance of any delusion on the subject, he had no hesitation in doing so.

Mr. *R. Grant*, although he agreed with the right hon. Baronet, that the present sitting was not a fit opportunity for entering into the question of the Regency, yet he entirely concurred with the hon. and learned member for Knaresborough, that it was a question which ought not to be left unsettled. It was said that it ought not to be agitated in a tumultuary Parliament; but, if they deferred it, and any unfortunate accident should occur, it would be agitated in a Parliament tenfold more tumultuous than the present. Being of opinion, with the hon. and learned member for Knaresborough, that the question had certainly not received the grave consideration which was due to it, he gave notice that, unless it were taken up by better hands, he would on Monday move an Address to the Crown on the subject.

Mr. *Brougham* observed, that nothing could be more gratifying to him than that his suggestion should be taken up in such a quarter. As there was other business, however, fixed for Monday, he begged to recommend the hon. Gentleman to take Tuesday for his motion.

Mr. R. Grant acquiesced, and Tuesday accordingly was fixed for the purpose.

Resolution agreed to; as was also a Resolution for granting to his Majesty the sum of 270,690*l.* for the purpose of defraying the charges of the Disembodied Militia of Great Britain and Ireland, the Pensions and Allowances of Out-pensioners, &c.

Ways and Means.] The House, in a Committee on Ways and Means, granted 1,500,000*l.* out of the surplus of the Consolidated Fund.

Administration of Justice.] On the question that the Speaker leave the Chair, to go into Committee on this Bill,

Mr. *Jones* said, that he would venture to say that the Attorney-general was quite ignorant of what the effect of the Bill would be. He also complained that the Attorney-general would never state his reasons for any of the provisions of the Bill till it came to him, as the promoter of the measure, to have the last word; and then no one was at liberty to reply to the reasons the hon. and learned Gentleman had urged. If this Bill were carried into effect, the Scotch and Irish would have reason to fear that, whenever it might suit an Attorney-general of his Majesty, they would be treated in the same unceremonious way.

Mr. *Brougham* said, that this measure had been discussed over and over again, and it therefore could not be said that it was forced on the principality without discussion; on the contrary, the Attorney-general had frequently consented to the alteration of the measure to suit the views of other persons. The hon. Gentleman wanted a committee up stairs; but, alas and alack a day! they had not time for such a measure. He must say, that he looked to such a proposition as being brought forward merely for the purpose of delay.

Mr. *F. Lewis* said, that he had the strongest reasons, as a Welsh Representative, to see this question settled. The system now existing in Wales had in a manner been condemned by the vote of a large majority of that House; and he, therefore, thought it highly necessary that a more judicious system should be immediately established. He was justified in saying, with respect to Radnor, which county he had the honour of representing, that the inhabitants were quite willing to have the English system of law introduced, provided they did not lose their Assize.

The House went into a Committee.

Mr. *Hume* wished to bring forward a motion for the reduction of the Judges' salaries.

The *Attorney General* said, that that was a very inconvenient time to enter upon the question.

Mr. *Hume* said, that if he was out of order then, he would take the opportunity of the Report being brought up.

Sir *R. Peel* said, that if the hon. Gentleman's proposition was acceded to, it would give rise to the inconvenience of having different individuals in the same capacity at three different salaries. The present Judges were now receiving 5,500*l.* which of course could not be abridged; Government proposed to establish all future Judges at 5,000*l.* and the hon. Gentleman proposed a third vote of 4,500*l.* only. This certainly appeared to him to be an exceedingly inconvenient course.

Bill went through the Committee, the House resumed, and the Bill to be re-committed on Monday.

HOUSE OF COMMONS,

Saturday, July 3.

Minutes.] The County Rates (Ireland) Bill, the Insolvent Debtors (Ireland) Bill, and the Army Pensions Bill, were read a third time and passed. The Sugar Duties Bill, the Exchequer Bills Bill, the Crown Property Bill, and the Fisheries Acts Continuance Bills, were read a second time. A Bill to continue the Act for allowing Sugar to be taken out of the Warehouse to be Refined, &c. was brought in. The Reports of the Committee of Supply, and the Committee of Ways and Means, were brought up, agreed to, and Bills ordered accordingly.

Mr. R. Gordon presented a Petition from Cricklade, in favour of the Abolition of the Punishment of Death for Forgery.

Beer and Cider Duties.] The Chancellor of the Exchequer moved the further consideration of the Report of the Committee on the Beer and Cider Act.

Sir *H. Parnell* expressed his regret that the Beer-tax should have been selected for repeal, instead of other taxes, which pressed more immediately on the productive interest of the country, such as glass, paper, hemp, coals, bricks, and lime. The revenue arising from those sources was 2,680,000*l.*, and therefore, if they had been chosen for repeal instead of the beer-tax, the whole of them might have been got rid of.

Report agreed to, and a bill ordered to be brought in.

Arms (Ireland) Bill.] Lord F. L. Gower having moved the further consideration of the Report of the Arms (Ireland) Bill,

Mr. *Spring Rice* suggested, that no right of search should be allowed except on information on oath, and that appeals should be limited to two years.

Mr. *O'Connell* concurred in that recommendation, and said that he was opposed to the principle of the Bill, but owing to peculiar circumstances he would not go into his objections.

Mr. *Doherty* observed, that all it was wished to effect by the Bill was, to keep arms out of the hands of desperate persons.

Mr. *O'Connell* was as desirous as the hon. and learned Gentleman to prevent miscreants from having the use of arms; but the danger of the Bill was, that it might prevent those from having the use of arms who would use them merely for their own protection, and for other lawful purposes.

Mr. *Gordon* objected to the whole form and pattern of the measure.

Mr. *Doherty* observed, that such was the state of some parts of Ireland that the Bill was absolutely necessary. Safe and respectable persons might always obtain a license for the use of arms. The Bill was only a renewal of a former measure. If the Bill were not passed the country would be inundated with arms.

Mr. *S. Rice* said, it was not because the Bill was only a renewal of a former measure that the House was called upon to pass it, but because in the present circumstances of the time, there was no opportunity for a further consideration of the Bill. He also considered the limitation of the operation of the Bill to one year, and the introduction of the clause providing that there should be no search for arms except upon information upon oath, to be important concessions.

Mr. *Hume* said, the hon. and learned Gentleman on the other side had said, that if the Bill were not passed the country would be inundated with arms. But arms were very quiet inoffensive things, unless people were provoked to use them. He was sure that the honour and honesty of the people of Ireland might be trusted. In fact, man might be made what his rulers pleased, according to the treatment he received.

Mr. *Doherty* was glad to learn from the hon. member for Montrose that man might be made what they pleased. He could assure the hon. Member, however, that if he would accept an invitation to some parts of Ireland, he would there find the peasantry disposed to insubordination in a manner that would not be very agreeable to him.

Mr. *O'Connell* maintained that there was not a people in Europe naturally less disposed to insubordination and outrage than the Irish. He perfectly agreed with his hon. friend the member for Montrose, that on the treatment of human beings depended their conduct.

The Report agreed to.

On the motion for Engrossing the Bill,

Mr. *Gordon* repeated his objections to the form and manner of this, as of all other Irish bills. When the sums of public money that were paid to various officers to assist in the framing of such bills was considered, the irregular way in which they were drawn up seemed to him very reprehensible.

The Bill to be read a third time on Monday.

LABOURERS' WAGES BILL.] Mr. Herries moved the Order of the Day for the Committee on the Labourers' Wages Bill, for the purpose of postponing it until Monday.

Mr. *Gordon* complained, that he had been induced to come down to the House that evening by the expectation that this measure would be discussed. Had not the hon. member for Staffordshire better give up the Bill at once? There was no chance of getting it through this Session. He (Mr. Gordon) had received many applications from persons who apprehended the most injurious consequences from the measure.

Mr. *Littleton* said, that as at present advised, he had the most perfect confidence that he should be able to bring on the discussion on Monday, when he should be prepared to defend the Bill.

Mr. *Warburton* pressed the postponement of the Bill to another Session. Such a measure ought not to have been brought forward without having been first referred to the consideration of a Committee.

Mr. *Herries* would postpone what he had to say on the subject until Monday.

Sir *M. W. Ridley* entirely concurred in all that had fallen from the hon. member for Cricklade.

Mr. *Hume* said, that as he found Government disposed to patronize the Bill, without having first referred the subject to the consideration of a Committee; as he knew that many persons hostile to the measure had left town in the supposition that it would not be proceeded with this Session; and as it was a Bill inimical to those principles of freedom in trade to which he was friendly, he would move that the debate on the question be adjourned to Friday.

Mr. *Herries* appealed to the hon. member for Montrose, whether it would not be better to argue the subject calmly on Monday?

Mr. *O'Connell* observed, that the provisions of the Bill seemed to be universal. It would be destructive to Ireland.

Mr. *Benett* thought, that there ought to be an exception in the Bill with respect to husbandry servants.

Mr. *Whitmore* was quite as friendly to the principles of free-trade as the hon. member for Montrose; but he was nevertheless favourable to the Bill.

Mr. *D. Gilbert* hoped the mines of Cornwall would be exempted from the operation of the Bill.

Mr. *Robinson* strongly objected to the clause in the Bill which compelled a man to criminate himself. If it were not struck out in the Committee, he would oppose the Bill altogether.

Commitment of the Bill postponed to Monday.

HOUSE OF LORDS,

Monday, July 5.

Minutes.] Petitions presented. Against the Sale of Beer Bill, by the Duke of Grafton, from Publicans at Thetford, Tonbridge, and Chelmsford:—By the Earl of Eldon, from Publicans at Leamington Priors:—By the Earl of Malmesbury, from the Inhabitants of the Isle of Wight:—By the Earl of Radnor, from Salisbury:—By the Duke of Richmond, from the Magistrates of the Hundred of Slaughter:—By Earl Grey, from the Licensed Victuallers of the Paddington Road:—By Lord Skelmersdale, from the Publicans of Stockport. Against Suttees, by the same noble Lord, from certain Dissenters at Liverpool and Prescot. Against the Increase of Taxation (Ireland), by the Earl of Darnley, from St. Bridget's, Dublin; and from Coolock and Santry:—By the Earl of Eldon, from the Merchants' Guild, and from the Barber Surgeons Guild (Dublin). To be Released from taking certain Oaths, by Earl Grey, from the Corporation of the City of London. Against the Court of Session Bill, by the Earl of Lauderdale, from the Dean and Faculty of Advocates (Scotland). For the Abolition of the Punishment of Death for Forgery, by the Earl of Falmouth, from Protestants at Truro.

East Retford Disfranchisement Bill.] Lord *Durham*, on the Order of the Day being moved for resuming the examination of Witnesses on this Bill, begged leave to know from the noble Duke at the head of the Government, on what ground the Treasury had refused to pay the expenses of the witnesses against this Bill, as well as of those in support of it, as had been done in the case of Penryn?

The Duke of *Wellington* replied, that it was not usual to pay the expenses of witnesses against a public measure, which had emanated from a Select Committee of the other House of Parliament. Those witnesses who deposed in support of the Bill were allowed their expenses, because the measure was a national one,—the result, not of any individual whim or will, but of a committee appointed to inquire into its necessity. Their evidence was essential to the success of the measure, therefore their expenses should be allowed them. The noble Lord was in error about the witnesses against the Penryn Disfranchisement Bill.

Lord *Durham* would appeal to the noble Earl (Shaftesbury) opposite, who was Chairman of the Committee on the Penryn Disfranchisement Bill, whether the witnesses against the Bill had not been allowed their expenses, as he had stated.

The Earl of *Shaftesbury* said, he certainly had signed, as Chairman of the Committee, an order to the effect stated by the noble Baron, but knew not whether the Treasury had obeyed it.

Lord *Durham* thought the noble Duke confounded the circumstance, that in the Penryn case the witnesses against the Bill were allowed their expenses, with the fact of the Treasury's having refused to pay the fees and costs of counsel and solicitors.

Earl *Grey* recommended inquiry into the facts and details of the Penryn case, before any decision, *pro* or *con*, on allowing the witnesses against the East Retford Disfranchisement Bill's expenses, should be come to.

The Duke of *Wellington* was understood to say, that he would inquire into the Penryn case before the matter was again brought under discussion.

The examination of witnesses was proceeded with.

HOUSE OF COMMONS,

Monday, July 5.

Minutes.] Returns ordered. On the Motion of Sir J. Graham, all Payments made out of the Surplus of the $4\frac{1}{2}$-per-cents between March 25, 1828, and January 5, 1830, with particulars of the payments.

The Administration of Justice Bill went through a Committee, and some verbal Amendments were made. The Warehoused Sugar Bill was read a second time. The Arms (Ireland) Bill was read a third time.

Petitions presented. By the Sheriffs of London, from the Corporation, praying for a revision of the Oath of Abjuration, and for the abolition of unnecessary Oaths. For the Discouragement of Vice, and of Profanation of the Sabbath, by Mr. C. Grant, from the Congregation of Tavistock Parochial Chapel, Drury-lane. Against the

Stamp and Spirit Duties (Ireland), by Sir H. **PARNELL**, from Portarlington and Emo:—By Mr. G. **MOORE**, from the Guild of Shoemakers, Dublin. Against the Inventory Duty (Scotland), by Mr. **LINDSAY**, from the Corporation of Perth. Against Stamp Duties on Receipts, by Colonel **CHAPLIN**, from the Tradesmen of Gainsborough. In favour of the Northern Roads Bill, by Lord **MORPETH**, from the Magistrates of Ayr. Complaining of the Labour in Cotton Manufactories, by Mr. **HOBHOUSE**, from Cotton Spinners in Glasgow, in Renfrewshire, and Manchester. In favour of the Parish Vestries Bill, by the same hon. Member, from St. Bartholomew the Great; and for a Reduction of Diplomatic Expenses, from the Metropolitan Political Union. For some measure to lower the pressure of the Poor-rates, by the Marquis of **TAVISTOCK**, from the Freeholders of Bedford.

PUBLIC GRIEVANCES.] Mr. *D. W. Harvey* presented a Petition from the Free Burgesses of Colchester, resident in London, the prayer of which embraced a number of objects of great importance, and which demanded the serious attention of the House; but into the consideration of which, at the present period of the Session, it would be impossible to enter. Among those objects were Reform in Parliament, the Reduction and Equalization of Taxation the Repeal of the Corn-laws, an inquiry into the State of the Land Revenue of the Crown with a view to rendering it available to the purposes of the State, the Abolition of useless Places and Pensions, and an Inquiry into the Condition and Revenues of the Established Church. Every one of these subjects would require more time to consider it than it was possible to devote to it under existing circumstances. On the subject of Parliamentary Reform he begged to say a few words. Those who wished for it forgot that it depended in a great degree upon themselves. That House could do much, but the people could do much more. Their wishes were idle, unless, when the dissolution came, they would exert themselves in the cause. He trusted that in cities, and other places, where the body of constituents was large, that they would not satisfy themselves with the expression of their anxiety for Reform, but that by their efforts and votes they would endeavour to obtain it.

LAND REVENUE OF THE CROWN.] Mr. *D. W. Harvey* begged to call the attention of the House to a Motion, which he understood would be opposed by the noble Lord opposite, but on which it was his intention to take the sense of the House. It related to the Crown-lands. It might be in the recollection of the House that he had some time ago moved for the production of Returns respecting the Land Revenue of the Crown, from a remote period. The objection to that Motion was, that it spread over too large an extent of time, and that no practical benefit could be derived from it. He had framed his present Motion so as to bring under the notice of the House the condition of the Land Revenue of the Crown since the year 1786. He had chosen that year because a Commission was then appointed, and continued for several years to make reports on the subject. Those reports, however, being bulky as well as numerous, the perusal of them would consume too much of the time of the House. He had framed his Motion, therefore, in such a manner, that the result of it would enable the House to judge at one view of the state of the property of the Crown at the disposal of Parliament. He should like to call the attention of the right hon. the member for Liverpool to this question, because he understood that right hon. Gentleman to say that the state of the Land Revenue of the Crown would be a very fit subject for consideration whenever the Civil List should come under discussion. He apprehended that that would occur early in the next Session of Parliament; and it would be impossible for the House to judge of the state of the land-revenue of the Crown, unless aided by accurate information. His object was, to put Parliament in possession of the actual condition of all the estates under the management of the Commissioners of Woods and Forests, which were undisposed of. He had always contended, and always should contend, that they were the property of the country, and that it was the duty of the House of Commons to make that property available to the public service. As he could not conceive on what grounds the Motion would be resisted, he would say no more about it. The noble Lord might, perhaps, contend, that the greater part of the required information was already before the House. True. But who could travel over twenty reports, of 700 or 800 pages each, for the purpose of finding it? What he required would occupy a comparatively small space, and yet would convey the information that it was indispensable the House should possess. The hon. Member concluded by moving, that an humble Address be presented to his Majesty, praying that he would be graciously pleased to order that there be laid before the House a Return, describing the condition of all manors, messuages, tenements, &c. belonging to the Crown, in the counties of England and Wales, as specified by the Commissioners in 1826, describing the estates sold, the nature and extent of the manorial rights, &c.; also, what estates remained undisposed of, the number of acres which they contained, &c. &c.

Lord *Lowther* observed, that the information, with the exception of one or two trifling points, was already before the House. Parts of the Motion were so vague that it was difficult to know what was precisely meant. Was every estate to be minutely described, whether glebe or pasture? A triennial report contained most of the details required by the hon. Member. His great objection to the Motion was the expense that would attend it. It would occupy several clerks during the whole summer, and would cost, including the printing, from 600*l.* to 1,000*l.* His only objections were this expense, and waste of time. The hon. member for Aberdeen and other hon. Members, had moved for and obtained similar returns; and he could not conceive what was the use of this continual printing and reprinting of papers.

Mr. *Hume* maintained, that the accounts moved for by his hon. friend were essentially necessary, in order to enable the House, whenever the Civil List came under consideration, to form an accurate judgment on the subject. Some of the estates, the property of the Crown, were sold, others only partially sold; of estates which had been bought, parts had been exchanged; and, in short, it was only from the office of the Woods and Forests that satisfactory information could be obtained. It was impossible for any hon. Member to obtain that information from the reports already in possession of the House, without infinite labour. The noble Lord had alluded to the returns which he (Mr. Hume) had moved for on the subject. Those were aggregate returns. What was now wanted was a detailed account; and on a matter of such importance it ought not to be withheld. He cordially seconded the Motion.

Mr. *D. W. Harvey* observed, that the present returns were so general as to be useless. He defied the noble Lord to put his finger on the account of one estate in which the number of acres was stated; whether that number was ten or 10,000 nobody knew. He defied the noble Lord to put his finger on the account of one estate in which the number of houses was mentioned; whether one or 100 nobody knew.

Lord *Lowther* said, that it appeared to him that to comply with the terms of the Motion, it would be necessary to re-survey every Crown estate in the kingdom. He repeated, that his only objection to the Motion was the useless expense which it would create. However, as no one else objected to it on that score, he would withdraw his opposition.

Motion agreed to.

West-India Spirits Duties' Bill.] On the Motion of the Chancellor of the Exchequer the House went into a Committee on this Bill.

Mr. *Huskisson* contended, that the present scale of duties on West-India and corn-made Spirits acted as a prohibition against the use of the former in Scotland and Ireland, the duty on Rum being 9*s.* per gallon in each country, while the duty on corn-made spirits was 7*s.* 6*d.* in England, and only 3*s.* 4*d.* in Ireland and Scotland. The discriminating duty, therefore, in favour of English spirits was 1*s.* 6*d.* while in favour of Irish and Scotch spirits it was 5*s.* 8*d.* That was not fair, particularly when it was considered the West-India islands took a great quantity of provisions from Ireland. The trade between them was carried on by such reciprocity as he had never heard of. He had no wish to injure Ireland but common justice required that the duty on rum, when imported into that country, should be lowered. He saw no reason why the protecting duty for Irish spirits should be greater than that for English spirits. He should therefore move, as an Amendment, that the duty on Rum be reduced to 4*s.* 10*d.* in Scotland and Ireland, which would be the same discriminating duty for the spirits made in those countries as was granted to corn-made spirits of England.

The *Chancellor of the Exchequer* thought the present system was the best; it was one of a very old date, under which the spirit-trade of these countries had been conducted for a number of years. And he really did not think it either right or fair to introduce a discussion upon the subject at that late period of the Session, when many of the Irish Members, and others peculiarly interested in it, had left town, on the understanding, and indeed the positive pledge, that the question was to be considered as settled. Under these circumstances, he declined entering into any discussion upon the principle at present, contenting himself with expressing his strenuous opposition to the Amendment, and putting it to his hon. friend, if it would not be better to postpone it until some future opportunity, when all those interested in the matter would be present?

Mr. *Keith Douglas* was in favour of the right hon. Gentleman's Amendment. The consumption of rum in Ireland had fallen off, in consequence of the high duties, from 430,000 to 20,000 gallons. Ireland found an extensive market in the West Indies for her produce and it was only fair that she should open her markets to the produce of the West Indies.

Sir *George Clerk* protested against any alteration, at this late period of the Session, in the duties which prevailed in that part of the kingdom with which he was more immediately connected.

Mr. *Dawson* thought this was a most unhappy and unfair time to propose such an alteration as his right hon. friend recommended. It would be ruinous to the agriculture of Ireland; it would encourage illicit distillation, and if it were persisted in he should oppose it to the utmost of his power.

Mr. *R. Gordon* supported the Amendment. The agriculture of Ireland would be benefitted by the increased demand for its produce in the West Indies, and the common principles of reciprocity, that were now so much talked of though seldom acted on required that the Amendment of the right hon. Gentleman should be agreed to.

Mr. *M. Fitzgerald* protested against the subject being re-opened during the present Session, many of the Irish Members having left town under the pledge that the discussion on this subject would not be revived, and that the settlement proposed by the Chancellor of the Exchequer was to be final.

Mr. *Rice* concurred fully in the view taken by his right hon. friend who spoke last. He thought the right hon. member for Liverpool had given no sufficient reason for an alteration that would be attended with loss to Ireland. Such a proposition would be strenuously opposed by the whole of Ireland if it had an opportunity.

Mr. *C. Pallmer* supported the Amendment. As to the argument that the duty had long existed in its present state, that appeared to him the very reason why they should alter it. It should be recollected that it would be for the benefit of Ireland that light as well as heavy cargoes should be sent there from the West Indies; and rum, therefore, should not be prohibited as it was at present.

Mr. *D. Callaghan* argued against the Amendment. He contended that the consumption of West-India produce in Ireland was much greater than of Irish produce in the West Indies.

Mr. *O'Connell* opposed the Amendment. It would be more useful to the West-Indians, and more advantageous to the Irish, to reduce the duty on sugar. Owing to the high duties, the consumption there had fallen off one-third.

Mr. *Bright* contended that the present system was a rigid monopoly which ought to be immediately put an end to. A reduction of duty would benefit both the Irish and the West-Indians.

The Amendment was negatived, the original proposition agreed to, the House resumed, the report to be received to-morrow.

LABOURERS' WAGES BILL.] The Order of the Day for the House going into Committee on this Bill having been read,

Mr. *Robert Gordon* said, although the subject was not a very inviting one, he wished to trouble the House with a few words upon it. This was a bill which involved no good principle. He did not know that there was any principle in the measure; though it was against all principle. It militated directly against the free intercourse which ought to subsist between master and servant with respect to making their mutual bargain for labour and wages. The late period of the Session was a sufficient reason for not going into the Bill, which it would be hardly fair to pass, when it was considered that many persons decidedly opposed to it had left town under the impression that the measure would not now be pressed further. As to the clauses of the Bill, he considered them, almost all, so objectionable, that it would be an endless task to amend them in a committee, and he therefore was opposed to proceeding further with the measure. The Bill enumerated no less than thirteen Acts of Parliament; it first confirmed them all, and then proceeded to a new enactment; so that, in order to ascertain and obey or enforce its provisions, the unfortunate magistrate, master, or labourer, would have to look first into these thirteen Acts of Parliament, and then into the Bill itself. Here, then, was a confused mass of legislation, which of itself afforded him a sufficient reason for withholding his assent to the Bill. One of the clauses enacted, in very extraordinary terms, that if any master was supposed to attempt to influence his workmen as to where they should deal, he was to be liable to a penalty of 20*l.* payable to the informer, on his sole and unconfirmed testimony. What was to prevent any labourer, who had quarrelled with his master, and who had not very strict notions as to the binding nature of an oath, from convicting the employer in a fine of 20*l.* and applying it to his own benefit? To say the least of it, the Bill required very great care and deliberation previously to its enactments receiving the assent of Parliament. When he saw the members of the Political Economy club agreeing upon the propriety of such a measure, it confirmed him in an idea he had long entertained, namely, that the political economists, strong as they were in general principles, were, nevertheless, willing to give way when a matter affected their own particular interests. He lamented that the hon. member for Staffordshire should have been induced to bring in such a Bill by the influence of his friends in the Potteries, because it placed him in an awkward situation. He should be glad to hear the opinion of the head of the Board of Trade on the principle of the Bill, and should be glad to hear how that right hon. Gentleman reconciled the Government support of the Bill with the system upon which Government professed to act in commercial matters. He hoped that the measure would not be persisted in at that period of the Session, and he should oppose going into a committee on it. If, however, he were defeated in that attempt, he should do what he could in the committee to mitigate the mischief of the measure, and should propose to confine its operation to the counties of Stafford and Warwick, which appeared to desire it. If it were a good Bill for them, let those counties have the benefit of it, but let them not impose upon the manufacturers of Dorset and Somerset a measure which the latter are of opinion must be prejudicial to their interests. There was a custom in those places, of employing the wives and daughters of the peasantry in making gloves, and giving them a certain portion of their earnings in clothes. Far from considering that as a loss, he looked on it as an advantage to both parties. If the entire amount of wages were paid in money, it would fall into the power of the husband, who was not always disposed to spend it in a manner the most advantageous to his family. But as the case stands, a part of the wages was paid in clothes for the females, who were thus at least secured in the enjoyment of some advantage for their labour. Here it must be admitted that what was opprobriously called the truck-system was productive of good effects. In some parts of Lancashire, the manufacturers kept a number of cows, and allowed their labourers to have milk, which was surely very advantageous to the labourer. But he had seen a case that was laid before a legal Gentleman, in order to get at the meaning of the word "understanding" in the Act, and the case was thus put "Suppose a manufacturer has cows, and gives the milk to the families of persons in his employment, they purchasing and paying for it, is this within the meaning of the Act?" The answer was "If all the master's labourers, or all of a particular class of them, take the milk, that is evidence of 'an understanding,' and that the arrangement is for the advantage of the master." Under these circumstances, a manufacturer who provided his people with milk, an article of such importance, but very often so difficult to be procured by labourers, particularly manufacturing labourers, was liable to a penalty for an act that was greatly to the advantage of the very class of people for whose benefit this penalty was to be inflicted. He did not like such legislation, and would strenuously oppose the Bill.

Mr. *Robinson* said, as the subject had already received some consideration, and was going to be further considered in a committee, he should not then trespass on the House at any length. It was only within a few days that he had learnt that this Bill was taken up by his Majesty's Ministers. Looking upon it merely as a measure introduced by the hon. member for Staffordshire, he had not given it that consideration which he was then satisfied it deserved, particularly since the measure had been adopted by Government. It was, in his opinion, a most unjust, unnecessary, and impolitic interference between masters and workmen. He admitted that the truck-system had given rise to abuses, and if this Bill could be confined to remedying them, it should have his hearty support. The professed object of the Bill was, to remedy the evils which had arisen out of the truck-system amongst the manufacturing classes of the community. He was apprehensive, however, that the Bill would create other evils, much greater than those it was intended to remove. By the Bill, in fact, the labouring people would be greatly injured, inasmuch as it would have the effect of throwing many of them out of employment. There were several inconveniences which the measure was likely to produce; the chief of which was, that at certain times and in certain districts, it would have the effect of depriving numbers of the working people of work and food. Under this Bill, a manufacturer could not employ men under any circumstances, unless he could pay them in money, and whenever he was out of money he must cease to give them work. He did not defend the truck-system, and he wished that the state of trade was such throughout the country as to enable masters at all times to pay in money, and in money only. But when trade had been long depressed, and when wages were low, and there was a redundancy of labour, the masters were forced to resort to the truck-system, or else to leave off manufacturing altogether. In his opinion the hon. member for Staffordshire proceeded upon a wrong assumption when he argued that the workmen always received goods of an inferior quality, and of inadequate value. This might be the case, no doubt, in a few instances, or in some particular district, but that was not generally the case. In many instances, he was informed, that the labourers got as good articles from their masters as they could get at the retail shops; and at as low, or even in many instances at lower prices. He also objected to the Bill that it was partial in its operation. If the principle were good, it ought to be made general, and extended to agricultural labourers, as well as persons engaged in every species of manufacture. He had other objections to the Bill, which he would state when it was before the committee. The House was then discussing the principle of the Bill, and not the sort of machinery made use of to carry its enactments into operation, though he considered the machinery no less objectionable than the principle of the Bill. He called on the House to watch the measure closely, and be satisfied of its utility before it sanctioned a principle adverse to the whole commercial system of legislation lately adopted by Parliament. For his part he must say, that he never saw a Bill that seemed more objectionable. He would support the measure if he thought it would benefit the labouring classes, of whose interests he had always been the humble but the sincere advocate. The working classes, however, could never flourish whilst trade was depressed; and so far from benefitting them, the Bill, if it passed into a law, would have a contrary effect to that which was the object of the hon. Member who introduced it, and would inflict a great and lasting injury both on labourers and their employers. He meant certainly to join those Members who had made up their minds to oppose the Bill.

Mr. *Herries* felt called upon, by the appeal of the hon. member for Cricklade, to state in that stage of the Bill, the view which he took of its principle; that being the only subject which could then be regularly brought under discussion by those who deemed it proper to make any observations before the Speaker left the Chair. He regretted that this course had not been pursued by other Gentlemen, who had taken that opportunity of going into details which had much better have been reserved for the next stage of the proceeding. The hon. Member who last addressed the House stated, that he had only lately become aware that his Majesty's Government gave its sanction to this measure; which certainly proved that the hon. Member had not been very attentive to the progress of the Bill in its previous stages, or he would have heard the right hon. the Secretary for the Home Department express, on a former occasion, the very decided opinion which he, in common with the other members of his Majesty's Government, entertained on the principle of this Bill. He did not, indeed, then state that this was a Government measure, for such it certainly was not: indeed, it would be exceedingly unfair to his hon. friend, the member for Staffordshire, who had the charge of this Bill, to say that it was a Government measure; the country was indebted for it to the great ability and indefatigable zeal which he had displayed in preparing and promoting it. But the Government approved of the object and principle of the Bill. Being acquainted with the complaints which existed on this subject in the country, and particularly in the manufacturing districts, the Ministers, after listening with great patience to representations from various quarters, felt it incumbent on them to countenance the introduction of a measure having for its object to put an end to evils of very great magnitude, which had given occasion to frequent and general complaints. Indeed, it appeared to him, that no government could properly refuse to support a measure calculated to remove or to mitigate such crying evils. His hon. friend who introduced the Bill with so much eloquence and ability, described in a statement abundantly confirmed by documents and by facts, the evils to which the lowest of the labouring classes were exposed, by the abuse of this system, in some of the manufacturing districts. No person who listened to that statement, or was acquainted, from other sources, with the nature of the case, could be otherwise than desirous of promoting the adoption of any measure calculated to obviate the abuses which existed, without infringing upon rights and interests which must be maintained. The truck-system was a great evil, and some remedy for it was urgently called for. The present Bill had been introduced for the purpose of supplying such a remedy, and the question was, whether we should allow an objection to be taken *in limine*, and upon principle, to a Bill with such an object, and refuse to go into committee and hear the arguments by which the several provisions of the Bill could be supported. My hon. friend opposite, the member for Cricklade, opposed the Bill *in toto*, as contrary to "all principles." To all the principles of what?—was it contrary to all the principles of legislation or of sound policy? It was very easy to talk in such general terms of all principles. There were principles of legislation, and principles of polity, and general principles of justice and morality. Now, to which of these principles was the present measure adverse? In his opinion, the measure was in strict consistency with the soundest and best principle of legislation—that principle of civil government which said, that the law should be so framed as to take care of that class of the community which was least able to protect itself. The Bill was certainly not inconsistent with that great principle; nor with the course of legislation on this subject adopted in former times. He was not one of that political school which considered that our ancestors were always wrong, and that their views upon every question of legislation were to be ridiculed. He did not contend that they had always legislated wisely and usefully; but when he found them, for a long series of years, legislating with uniform consistency upon any topic, and striving undeviatingly for the enforcement of any particular object, it offered a strong inducement for their successors to institute a careful inquiry into the motives by which they were actuated, before abandoning the principles which they had adopted. He could not agree, therefore, with his hon. friend, who would oppose such a Bill as that because it was contrary to all principle. But as his hon. friend had asked him several questions, he would permit him to ask what he meant by "all principle," and perhaps he would have the goodness, in some other part of that debate, to explain to what good principle this measure was really, in his opinion, opposed? He maintained that it was a main principle in all good government, and all civil legislation, that the due execution of contracts between man and man should be strictly enforced by the law. The law, therefore, ought to secure to the labourer the exact fulfilment of the contract between him and his employer. His hon. friend could not doubt that truth, but he seemed not to understand its bearing on the present question. But when the employer paid his labourer in goods what he had engaged to pay in money, it was a breach of contract. The law established a legal tender for the discharge of all money engagements between individuals, and no man had a right to offer another, in satisfaction of a debt, anything but the lawful coin of the realm. That ought to be the only medium of paying the labourer his wages; but from the system of truck, the legal tender was wholly banished. The master paid no money, but substituted something else for it, and something which had no fixed or permanent relation of value to all other commodities. Articles subject to constant variations of price, and therefore wholly unfit to be used in discharge of a debt, at the option, and according to the arbitrary valuation of the debtor, were given in payment of a debt, with great injustice and detriment to the defenceless workman. On this point, and in reply to those who talked of principles, he might be permitted to refer to the authority of a great master of the science and principles of political economy; one who had pushed his researches, with all the energy and profound penetration of genius, into every branch of legislation affecting the social and commercial interests of mankind, connected with the wealth and happiness of nations. The practice to which he was referring, of paying labourers by truck, passed under the review of that eminent writer Adam Smith. It might, perhaps, appear presumptuous in him, to those who were arrayed against the principle of this Bill, and who were of a more recent school of political economy than Adam Smith, that he should oppose the authority of that great, but now antiquated, writer to their newer lights; but there was so much of force and of reason concentrated in a brief and simple passage of his work, relating to this subject, that he hoped the House would excuse him if he trespassed on it for a few minutes in reading it. "Whenever the Legislature," said Adam Smith, "attempts to regulate the differences between masters and their workmen, its counsellors are the masters. When the regulation, therefore, is in favour of the workmen, it is always just and equitable; but it is sometimes otherwise when in favour of the masters. Thus the law which obliges the masters in several different trades to pay their workmen in money, and not in goods, is quite just and equitable. It imposes no real hardship on the masters; it only obliges them to pay that value in money which they pretended to pay, but did not always really pay, in goods: the law is in favour of the workmen." Such was the opinion of Adam Smith on the principle of the law which, by this Bill, it was intended more effectually to enforce. The truck-system was an avoidance of that law. In order to secure to the workman the full value of his labour, according to his agreement, the payment for it must be made in money, or in some medium not subject to variation or uncertainty in its relation to money. Under the practice against which the Bill was directed, the master who engaged to pay certain sums for labour did not really pay those sums; he avoided it by not paying in money, but in what he called an equivalent. It was the substitution of an equivalent, arbitrarily valued and selected by the master, that constituted the gist of the evil. There were three degrees in the operation of the truck-system, to which the attention of the framers of the several Statutes on the subject appeared to have been drawn. First, the substitution of payment for labour in goods in lieu of payments in money, where money payments had been expressly bargained for by the parties. Secondly, the payment of the workmen, partly in money and partly in goods, where there had been an agreement or understanding before-hand to that effect. Thirdly, the mere union, in the same person, of the business of a master employing labourers, and that of a retail shopkeeper supplying them with the principal articles of their necessary consumption. Each of these was supposed, by some persons, to be pregnant with evil, and liable to pernicious abuses; and they would strictly prohibit them all. In their sentiments and opinions he did not concur, and he felt called upon to explain the distinction he took between these several modes by which the manufacturer sought to diminish the cost of his production. This was the more necessary, because several hon. Members, and among them the hon. member for Montrose, from not attending to these distinctions, did not fully understand the subject. The payment of labourers in goods, where the contract had been specifically made for a payment in money, was admitted to be a case of undisputed injustice. It was admitted that such engagements should be strictly enforced, and that the wages of the workman ought to be paid in money, and nothing else. So far, therefore, as the principle of the Bill enforced the payment of money where money was contracted to be paid, all seemed to agree in its expediency. To that extent the principle of the measure was acknowledged to be good. That was one material point gained for argument, for a considerable part of the practice which the Bill was intended to put down consisted in the evasion of the positive engagement to pay in money. Ninety-nine in every hundred of the agreements for wages were made for money, and these engagements the truck-masters contrived to discharge in goods. In the prevention of this malpractice, there could be no disagreement. But the case was different, and the question not so easy, where the contract or agreement between the employer and the labourer contemplated a settlement, partly in money, and partly in the supply of commodities. Such contracts were prohibited by the existing law, on account of the abuses to which they were liable, and the great injustice which they might inflict on the labourer. But in his humble judgment, they ought not to be condemned absolutely and without exception. There must be a distinction drawn between contracts for the payment of labour in supplies, the nature of which could be exactly ascertained before-hand, and were not liable to variation, and those of an uncertain description. If, for example, the agreement be to pay the labourer partly in money, and partly in lodging, that might be a fair agreement, because both parties equally knew, or might know, at the time of making it, the nature and value of the lodging, which was not liable to change. But that was not the case where the bargain included goods in general, or even specific articles of consumption, liable to vary in quality. The choice of the goods was there left to the discretion of the master, and in the exercise of the power which that gave him over the labourer, the most cruel oppression and fraud were practised. Such contracts were replete with injustice, and ought not to be tolerated between parties of such unequal power, in carrying them into execution, as the master and the labourer. In these cases the labourer really made the contract in ignorance how he was to be paid. The performance of this agreement was in the hands of the master alone, and under such a system, as it was the interest, so it was too much the practice, of the master to extort from the workman to the utmost of his power, and give him articles that were worth nothing like the sum at which he estimated them. Suppose that a workman was to be paid so much money, and the remainder in goods; that a given quantity of flour was to be part of his wages. There was in such a contract nothing definite; it might be flour of the best or of the worst quality. And how was the price to be determined? There was nothing definite in such a medium of payment when the quality and price of the article were left to the discretion of the master. God forbid that he should suppose that all the masters who paid wages in goods took advantage of their workmen. He knew that there were many who acted fairly and honestly towards their labourers, and who, even in this practice, consulted the advantage of those whom they employed. But here were two contracting parties; on the one side a weak and poor, on the other a rich and powerful man; and, under such circumstances, there must always be danger that the weaker party would be oppressed. When he first looked into this subject, he had considerable doubts as to the restrictions which ought to be imposed upon these voluntary bargains on the part of the labourer for mixed payments in money and goods; and his right hon. friend, the member for Liverpool, to whose consideration it was submitted about the same time, also felt some difficulty on the point. He had some hesitation in reconciling the principle of the present measure in this respect with his views as to the fitness of leaving trade unshackled by all regulations not absolutely necessary. He was certainly of opinion, generally speaking, that it was improper for the Legislature to interfere in the transactions of trade, and for that reason he felt himself bound to look at this measure with great caution. But the higher principle of protecting the labouring classes, of securing to them the just reward of their labour, preponderated, in this case, over all other general considerations; and he therefore maintained, that in this matter the interference of the Legislature was necessary. But although he had dwelt at some length on mixed agreements, it was the less necessary, because ninety-nine out of every hundred of the contracts between masters and workmen were contracts for money only; and those were the contracts which were constantly evaded by masters who practised the truck-system. He considered, therefore, that this would be a most useful Bill, if it remedied the flagrant evils which arose out of the payment in goods of an indefinite value, whether under agreements to pay absolutely in money, or otherwise. These evils were now of such magnitude, that complaints of them were coming from every part of the kingdom; and more particularly from some of the most important and most populous of the manufacturing counties. The feeling, indeed, had been so strong in the minds of those who had urged the consideration of this measure, that they had strongly pressed the necessity of prohibiting the manufacturer altogether from selling commodities to his labourers. That was the third part of the general subject to which he had adverted. It was maintained by those who recommended this prohibition, that if the master were allowed to keep a shop at all, he would convert it into a means of imposing all the evils of the truck-system upon his labourers, by giving them credit, and allowing them to run into his debt. To that reasoning, however, he did not accede. There were many situations in which the shop kept by the master was of the greatest benefit to the workman, and in which, but for it, he could not be advantageously supplied. That practice might, therefore, be allowed to exist consistently with the object of the Bill, which was, to ensure that the money payment of his wages should go fairly, and without reservation or condition of any kind, into the hand of the labourer, and then to leave him free in the disposal of it, to deal with his master, or with any other shopkeeper. But it was one of the chief objects of the Bill to guard against all clandestine or collusive conditions in the application of the money. The hon. member for Montrose asked why it should be supposed that the master manufacturer would be more prone to take advantage of his workmen in the sale of commodities than any other shopkeeper? The reason was, he had necessarily more power. His situation, in relation to his workman, made a material difference in the two cases. In the ordinary case, the buyers and sellers stood upon equal terms. The seller was, perhaps, in most cases sufficiently inclined to take every advantage he could of the buyer; but the buyer could defend himself, and the struggle was conducted upon a footing of equality. Not so between master and workman. The buyer was, in that case, feeble and helpless, and in the power of the seller. That was more especially the case when the delivery of goods was not made in exchange for money, but in satisfaction of a debt for labour previously incurred. The master then offered what he pleased, and at what price he chose; and how was the labourer to refuse or to resist? He would not dwell on the flagrant instances of which the House had heard; such as a man being paid his week's wages with a coal-scuttle, or a warming-pan, or some other article as little suited to his wants. Those examples were, he hoped, rare; but there were abundant proofs that the goods supplied were frequently such as the labourer must sell again, in order to provide for the subsistence of his family. They were, therefore, most improper substitutes for money. But what defence could the labourer oppose to a master who forced such a payment upon him, if there were no effective law to protect him? At the close of a week, during which his labour had been given to his employer, he sought his reward. The things were tendered to him; his wants were urgent, and his chance of redress under the existing Statutes absolutely null. He must submit. Week after week he was plunged deeper and deeper in wretchedness, until all hope of extricating himself from the thraldom disappeared. The workman, it was said, might change his master; labour was free to seek the best channels of employment, and that, if left alone, these evils would work their own cure, and the price of labour necessarily find its proper level. These were pretty words, but every one knew what extremes of misery were caused before such matters really found their level. It was not possible to foresee what mischiefs might arise from the continuance of the truck-system, if it were not corrected by some legislative provision. Whole trades were in a state of ferment; the labouring manufacturers in those districts where it most prevailed were in a state of excitement approaching to insurrection; and even without reference to the injustice of the practice, and to the miseries which it inflicted, it ought to be put an end to, with a view to preserving the tranquillity of the manufacturing counties. And who were the parties who prayed that it might be put down? First, the poor labourers themselves, who presented themselves by deputations from their own body at the offices of the Government, and who made their applications also through the magistrates of their several counties. These last, too, were urgent, and their appeals were made, not less on the score of humanity, and a charitable feeling for the suffering parties, than for the sake of peace and quiet in their respective neighbourhoods. Even that day representations had reached him from most respectable magistrates in Gloucestershire, imploring the speedy passing of the Bill, and stating that, unless some measure were adopted to stop the mischief, they could not be answerable for the consequences. There were also master manufacturers who would not adopt the practice, and who, for their own sakes, called for the interference of the Legislature because they were unable to carry on a competition with the truck-masters on such unequal terms; they must either adopt the same mode of increasing their profits, or retire from business. The claims of these parties, though less pressing than those of the labourer, were deserving of great consideration. There was one point on which he agreed with the member for Montrose. He said it was inconsistent with the peace of the country to leave the law as at present. He, however, would have the House abolish all the old laws, instead of making a new law on the subject. On the contrary, in accordance with the great authority already quoted, he was of opinion that the principle of the existing law was wise and just; and that it would be expedient to make further provision for carrying that law into effect. When the Bill was in committee he should advert to its several details, and probably take the liberty of suggesting some amendments. In his observations, he had confined himself to the principle and policy of the Bill, to which he gave his hearty support, because he was convinced that some measure of that description was necessary for the well-being, the comfort, and the tranquillity of the industrious population of those districts in which our staple manufactures were most extensively carried on.

Mr. *Benett* was somewhat surprised to find after sitting several years in the House, and hearing a vast variety of observations on sound principles and false principles, that the House had only at length got to defining what principle was; and so lame was the definition, that he for one could not understand the right hon. Gentleman's definition. It appeared to him, that all he said on the subject amounted to this, that there were some principles which allowed Parliament to do one thing, and some another; but at fixed principles the House had not yet arrived. The right hon. Gentleman alluded to Adam Smith, who, although a great authority, was not always sound in his principles. He supposed, amongst other things, that the price of labour might be regulated by law. That principle had been tried, and remained a very long time a disgrace to the Statute-book. With respect to the present Bill, he had not looked into it until very recently; and he did not wish to throw any obstructions in the way of it; but it really seemed to him liable to a great many objections. For instance, a single witness might be an informer; and, in case of conviction, he was to receive the whole of the penalties. There were various other objections, into which it was not necessary then to enter; but which had convinced him that it was time to look into the principle of this Bill. There would be great difficulty, he believed, in forming any bill which would prevent the truck-system from being brought into operation. That system was adopted from necessity. He might, perhaps, be allowed just to mention one or two means by which this Bill might be evaded. The right hon. the President of the Board of Trade, had talked of obliging money contracts to be fulfilled; but without, as it appeared to him, comprehending the nature of the subject. Did he not know that if men contracted for money, the present law is quite equal to enforce the fulfilment of that contract? If the man contracted partly for money and partly for goods, then he ought to receive what he contracted for; and, generally speaking, he did so. To compel the master to pay him otherwise, would be, in fact, violating a contract. The object of this Bill, however, was, to prevent a master and workman from contracting at all. If the master be a butcher, the workman must not deal with him; the master must not, dare not ask him. In his opinion, it would not be possible to carry such a law into effect. There were already thirteen Acts of Parliament on the subject, which were all dead letters, no one ever looking to them, except informers who wanted to make something by them. But let the House see how easily this Act might be evaded. A retail shop might be set up in a town or village. The master did not desire his workmen to deal at that shop, and he paid them in money every Saturday evening. There was, however, a private connexion between the master and the person who managed the retail shop, perhaps that person was a relation of the master's, or one of his own family; every Saturday evening the master might put a cross after the name of every man who did not deal at the shop, and the foreman would discharge that man. He did not tell the workman why he was discharged. He said, perhaps, "You are not a good man, we do not like you;" and the man was sent about his business. This was soon known; every one understood it; all knew why he was discharged, but who could prove it? The man received all his money, there was no agreement that he should deal at any particular shop; but yet there was a general knowledge throughout the town that it was expected; how was that to be avoided? The workman who was discharged because he had disobliged his master, laboured under a great disadvantage, and found a difficulty in getting another employment. The master, without absolutely charging him with any fault, might say to another master who came to inquire concerning his character, "he is a bad one," or "a black sheep," or any of those expressions which were in common use; and the workman was naturally apprehensive of the influence of such representations. This was a case that could not in any way be avoided. It would occur in spite of an Act of Parliament. But suppose the system could be got rid of, what would be the effect of it? It would be to give the workmen a lower rate of wages, which would be reduced precisely in the same proportion in which the truck-system produced profit to the manufacturer. The persons most injured by the truck-system were the small manufacturers, who did not employ men enough to keep truck-shops. Men of small capital could not keep such shops, and therefore laboured under a disadvantage by competition with those who could. That was an evil, however, which no law could prevent. As respected agricultural labourers, nothing could be more disadvantageous than the operation of this Bill. Whenever the truck-system was brought into operation in agriculture, it was for the advantage of the labourer. He got his wheat by the bushel, or the half bushel, which he could not get at market, and was enabled to make it into flour himself. It was always advantageous to the labourer.

Mr. *Littleton* observed, that the hon. Member was perhaps not aware that, in compliance with the suggestion thrown out on that point, he had exempted agricultural labourers from the operation of the Bill.

Mr. *Bennet:* Agricultural labourers were certainly not exempted in the printed Bill, which he held in his hand; but he was glad to hear that such was the intention of the hon. Member. It proved, however, that men could not adopt the principle of the Bill, and that the Legislature notwithstanding the observation of the right hon, Gent. had not got upon a fixed principle. Whether the contract entered into be for money or goods, no law ought to prevent it being performed. For these reasons, and because he felt that the House would not be legislating upon any fixed and acknowledged principle, he could not give his support to the Bill. In his opinion, if the Bill passed, it would only be one added to the thirteen useless laws, which had already been passed on the subject. The effect of having so many Acts of Parliament on the same subject was, that no one could be acquainted with what was really the law; for it was no sooner generally known, than a new law was passed. He wished that the hon. member for Staffordshire had consolidated the whole of the laws relating to masters and workmen, and brought in one short intelligible Act on the subject. It was then too late to introduce such a measure; but perhaps the hon. Member would allow this Bill to lie over until next Session. It might then be referred to a committee up-stairs, and after due consideration, when all the facts were established, the House might be enabled to legislate upon just principles, and the whole subject be brought into one law, which every man might have before him. All temporary laws, in his opinion, were bad, for they were no sooner learned than they were repealed. On the whole, the hon. Member would do well to let this Bill stand over till next Session.

Mr. *Wolryche Whitmore* did not mean to imitate the example of those hon. Members who had entered upon abstract disquisitions as to the principle of this Bill. He would not inquire whether the Bill were consistent with this or that principle, because he thought the House had better confine itself to the question before it, and consider whether the measure be not consistent with freedom of trade and with common sense. His hon. friend below him had misunderstood the right hon. Gentleman on one point; whom he did not understand to say that he was opposed to the workmen being paid partly in money, and partly in goods, when it was by special contract. On the contrary, the right hon. Gentleman said, he objected to forcibly putting an end to that system, though he admitted that it was liable to abuse; that it was not easy to define what goods meant, because they were subject to variations of price; and under such a system, the weaker party was more liable to be injured. The right hon. Gentleman had quoted the opinion of Adam Smith on this subject. The last edition of his works was edited by a gentleman, whose authority, though not so high perhaps as that of Adam Smith, was also to be respected. He did not say that he was correct in all his views; but his opinion was certainly worth consideration, and ought not to be thrown aside. He alluded to Mr. M'Culloch. In that gentleman's edition of Adam Smith, a note occurred, in which reference was made to the principle now under consideration. Mr. M'Culloch described the law as founded upon principle. He said, "Colliers, coal-bearers, salters, and all individuals employed in collieries and salt-works, were placed by the old law of Scotland, in the exact condition of the *adscripti glebæ* of the middle ages. They were bound to perpetual service at the works to which they belonged; upon a sale of the works, the new proprietor acquired a right to their services. In 1775, a law was passed for the abolition of this species of servitude; but this Act did not effect the object in view. Those that were emancipated suffered themselves to become indebted to their masters for sums which they could not pay, and which obliged them to continue their services on the old footing. In 1799 they were completely emancipated." "The Statute, in order to prevent its object from being defeated, took from the masters all title to pursue (a Scotch law term) the colliers for any sum advanced to them, unless for the support of a family during sickness." The argument to be drawn from this was, that when the labourer was paid in goods, instead of money, he was not a free agent. The labourer was constantly exposed to a power which perpetually existed, and it was not surprising that when he got into debt he should cease to be a free agent. When the master was a retailer, nothing was more likely than that the workman should get into his debt. Throughout the country, wherever the truck-system prevailed, it was constantly found to be the case, and under those circumstances, the free competition alluded to by his hon. friend, the member for Aberdeen, did not exist between the master and the workman. The effect was practically to put the workman in the state of dependence to which the writer he had quoted referred. But putting the working classes out of the consideration, the existence of the truck-system was productive of the greatest injury to other branches of the community, particularly the retail dealers. He looked on it as an evil of no slight magnitude, that the extension of this system would sweep them from off the face of the earth. Much of the moral feeling, the love of liberty, and the best characteristics of this country as a nation, were identified with, and represented by that class. He viewed with great alarm, therefore, any practice which went to produce so fatal a vacuum in the structure of society. The truck-system, whilst it went to destroy one class, was calculated to degrade another. What was it, he asked, which gave England the character of a great manufacturing country; and induced men of respectability to engage in manufactures? It was because her manufacturers were not only extensive in their trade, but remarkable for their honour and gentlemanly feeling; and was it possible that those characteristics could continue to belong to the manufacturers of England if they descended to keep huckster's-shops? Those qualities which redounded so much to their honour, would cease to form a part of their character. It had been stated, that the most respectable manufacturers throughout the country had complained of the system; and there was no difficulty in telling why they complained. If the system became general, and some manufacturers derived a miserable profit by supplying their workmen with food, all others would be obliged to follow the same course, there would be an increase of competition, until the rate of profit was reduced to the lowest point. If the manufacturers in one part of the country derived a profit from this system, the manufacturers in other districts must adopt it. What prevented all the manufacturers from adopting the system? It was a feeling of delicacy, and of respect for themselves, which made the manufacturers reluctant to begin dealing upon so miserable a system as that of keeping huckster's shops. If the Legislature did not interpose, however, and put down the system, it must be adopted by every manufacturer. It was essential, therefore, that the Legislature should take it into consideration. His hon. friend below him doubted whether the Bill would be effectual; and he should share those doubts if it were not that a strong feeling existed throughout the country against the system. He trusted, therefore, that the law would be sufficient to put it down, because it would be, as all laws must be that are intended to be effectual, in consonance with the feelings of the people. The law would at least prevent the growth of a great evil, the further extension of which was checked already by the moral feeling of the country. If the Legislature did not put a stop to the system, it must extend. Time would give it feet and wings, and accelerate its progress. He gave his support to the Bill, not saying that the measure would not be attended with evils; but he considered that of two evils, he was choosing the least. The measure was not only justified, but called for. His hon. friend had stated, that the political economists had forgot their principles out of respect to their interests. If his hon. friend alluded to him, he was certainly mistaken. His own interest, as regarded his constituents would have counselled to avoid all discussion on this subject; but he felt himself called upon by a sense of duty, to state his candid opinion, and in so doing, though his sentiments, might not be in accordance with those of his constituents, he was sure that he had not been unmindful of the important trust confided to his hands.

Mr. *Davies Gilbert* thought, that it was much better that workmen should be paid in money than in goods, and they ought always to be paid in money when it was in the power of the masters to do so. Money wages were most conducive to the comfort and advantage of the labourer. But times had been, and might again come, when the prices of commodities, including wages, were very low, and labour superabundant. Under such circumstances it was not expedient that the manufacturer should be confined to one species of contract. It was not well, either in local expediency or in principle, that he should be obliged to pay his workmen in money, or else not employ them at all. If he were so obliged how would this law affect the workman? He now got a livelihood—a bad one perhaps—under the Truck-system; but if this Bill passed, he would get no livelihood at all. It appeared to him that a Bill of this description ought to have been drawn up with more care and circumspection. Every effort might be made to put down those shops, but, in his opinion, it would prove ineffectual. As his hon. friend, the member for Wiltshire, had stated, the master will say, "You may go wherever you please and purchase your provisions," and the man would find himself dismissed if he acted on that permission. Unless the master committed some offence the law could not punish him; but it appeared also that the law would be evaded without any offence being committed. It had been already observed, that it was necessary in some cases to supply workmen with materials for their work. That was the case in the mines of Cornwall; and he was glad that the hon. member for Stafford had exempted the Cornish miners from the operation of the Bill. He might state, however, that those engaged in the mines were not only supplied with tools, but also with gunpowder, hemp, and other requisites; and if this system were not allowed, the mines could not be worked. If the mines had not been exempted, therefore, next Session the House would have had petitions from all the mining districts. He mentioned this to show the caution and circumspection that ought to be adopted, lest, in endeavouring to do good, the Legislature should do evil. He had known instances where there had not been enough provisions in a district for the supply of the population, and where proprietors of mines, and other extensive works, had imported provisions, and sold them without any profit, often at a loss, to supply their workmen. If this Bill became a law, and such a circumstance should occur, some evil-disposed person might take advantage of it, and levy the heavy penalty imposed by this Bill. Cases also might arise where money could not be paid by the masters, and where great injury would arise from preventing them paying partly in goods. The Bill ought not only to be sent to a committee up-stairs, but also to all the manufacturing districts for consideration. There was no one who did not give the hon. member for Staffordshire credit for the intentions with which he introduced this Bill; but they were all liable to be imposed upon by interested persons; and an opinion was entertained, that, with the very best intentions, the hon. member for Staffordshire was acting upon the suggestion of some opulent manufacturers in his own district, who were very anxious that he should carry this Bill, under the expectation that its effect would be to raise the price of iron, in which they were dealers.

Mr. *Littleton* trusted, after the personal reference that had been made to him, that he might be allowed to say a few words. It was utterly impossible that he could have been influenced by the master manufacturers in the way the hon. Member stated, for they were the last persons from whom he heard on the subject. His attention was drawn to it, in the first instance, by the workmen themselves, who complained loudly of the injury which the system inflicted upon them. The retail dealers complained, and then the most respectable of the master manufacturers also stated that they were opposed to the system. His hon. friend had implied that he was the foster-parent of this Bill, insinuating that the measure did not originate with, but was forced on him. His hon. friend, however, was quite misinformed. He had never been on such terms with his constituents that they could take any liberty with him, or attempt to force any bill on him. He was as independent, he hoped, as any Member of that House. The fact was, that he took up this subject at the suggestion of no class of persons. He resided in a county where his attention had been necessarily called to it for many years. Seeing its evils, he regarded it as a duty incumbent upon him, if not to devise some remedy at least to call the attention of Parliament to the subject. In the neighbourhood where he resided, there were two or three associations for putting down the system, and it was most obnoxious to all classes. Retail dealers, small manufacturers, labourers, master manufacturers, the clergy, the magistrates, all classes had taken the field against it. The member for Cricklade had asked, why not repeal the thirteen Acts which existed on this subject? He admitted that they, as well as many other Acts relating to this subject, ought to be, and he hoped that at some future time they would be repealed. Some hon. Members had objected to the amount of the sum to be paid to the informer under this Bill, but it was necessary to make the sum considerable, otherwise the object of the Bill would be defeated. The man who should inform would be almost sure to be thrown out of employment, and if an appeal was to be made to the Sessions, against the conviction before a Magistrate, the chance was, that in the interval he would fall into distress. Unless, therefore, the fine to be paid on conviction were such as to compensate for his loss of employment, he would not give the information. If the penalty were not high, the object of the Act might be defeated. He had consulted several Magistrates on the subject, and they had all been of the same opinion with respect to the penalty, and on the same grounds. They had all been of opinion, also, that to receive the evidence of the informer would be sufficient. No person who had spoken on this subject but had admitted that the present state of the law was inefficient. From every part of the country he had received communications to the same effect. It had been contended by the hon. Member opposite, that the present Bill would be as ineffectual as the old law; that in times of difficulty no persons would be engaged but such as consented to deal at a particular place, and that those who refused would be thrown out of employment. He doubted that this would be the case, and if it were, it would not be worse than at present, for the truck-system was now flourishing, and had not been, and would not be, probably confined to times of difficulty and distress. He would ask any hon. Gentleman who remembered what took place in the year 1825, whether the truck-system was abandoned in that year, which was not one certainly of any scarcity of work, but one rather of great prosperity and full employment in almost every kind of business. It was not, therefore, correct to state, that the truck-system was carried on only when there was little demand for labour. His hon. friend opposite asked, what would be the advantage of obliging employers to pay in money, if the men might be discharged for not dealing at a particular shop. The inconvenience of such a practice was great, but it could not be wholly guarded against. There were now several manufactories where no money whatever was paid to the persons employed, who took up the whole of their wages in goods. He wished that the employer should be obliged to pay money in all cases. The workman to whom it was paid would then be a free agent, and might dispose of his wages as he pleased. There was a vast difference between persons who received no money at all, and those who received the whole of their wages in money, being at liberty to purchase where they pleased. Some hon. Members who opposed this Bill had suggested, that it should be referred to a Select Committee, in order that evidence might be received as to the extent of the system; but that evidence would be likely to give rise to great differences, and to great heart-burnings amongst the masters, and also between the masters and the men. It was wholly unnecessary for the House to have evidence of the extent of a system, the existence of which was admitted by every parish in England. It was a fact, that at every public meeting which had been held on this subject, not a single hand had ever been held up against any petition to the Legislature praying for the abolition of the truck-system; a stronger proof could not be given of the general feeling in the country against it. In the course of the very extensive correspondence which he had held on the subject, he was informed that the majority of the labouring poor who had emigrated were persons who had suffered under this system. From his experience as to the effects of this mode of paying the wages of the labouring poor, more particularly in that county with which he was most intimately connected (Staffordshire), he had come to the conclusion, that it was his duty to introduce this measure, because he was convinced that the truck-system had already led to indescribable misery amongst the labouring classes. If any proof were wanting of the feelings of the people, the petitions laid on the Table against the system, and the absence of petitions in favour of it, would be amply sufficient to satisfy the most sceptical that the measure he proposed would be considered a great boon to the people.

Mr. *Warburton* said, a proof that this system was forced upon employers by necessity was to be found in the fact, that no person had been found to speak in favour of it at public meetings, because masters had a difficulty in admitting that they were unable to carry on their business without it; if, however, a committee were appointed up-stairs, evidence from the masters themselves might be laid before it, which would put this fact beyond doubt. On this ground he was decidedly opposed to the course pursued by the hon. member for Staffordshire, and he should, both on the present and at future stages, give it every opposition in his power. It was said, that the truck-system was against all principles, and that the public opinion was decidedly opposed to it; but at the same time the fact was admitted, that some capitalists found it necessary to resort to the system, because they were unable otherwise to compete with their neighbours. What a valuable discovery was that which enabled the manufacturer to produce his goods ten per cent cheaper than before. If it accomplished that, there could be no doubt but it was an advantage to the country, and it would be impolitic to interfere with it by legislative enactment. Parliament should leave these things to find their own level. The House was told that this was opposed to the principles of political economy. What was political economy but the application of sense and reason to the principles of government, as applied to domestic affairs? What was the argument urged in favour of the Beer Bill? That competition should be as extensive as possible, and that, in proportion as it was encouraged, the public would benefit by it. What had been done by the Society for Bettering the Condition of the Poor some time ago? Grocery and other shops were opened in several places, where goods were sold at the original cost, yet nobody objected to that. The question was, how were the comforts of the poor to be increased by this measure? The hon. Member must shew, in the first instance, that the present system was an evil to the poor, and that this Bill would produce a practical good by the removal of that evil. Would it raise the price of the commodity to the manufacturers? for if it did not, raising wages must be an injury to the capitalist. It was said, that there were already thirteen Acts in force to put down this system; and if these were not sufficient, how was the present measure to become so? Parliament must endeavour to give effect to this Bill by means injurious to trade; or it would be much better not to have any law whatever on the subject. On these grounds then, and on the ground that, if the present system gave the capitalist an advantage of ten per cent, that was also an advantage to the workman, who had otherwise no chance of receiving as much employment as at present, he felt it his duty to oppose the Bill.

Mr. *Huskisson* said, that if the present system gave a profit of ten per cent to the manufacturer, the Parliament not only ought not to put it down by any legislative enactment, but it ought to compel every manufacturer to pay in truck, and not in money wages; but he denied that the system had any such effect. It was, no doubt, of some advantage to the manufacturer, or he would not resort to it; but it was an advantage obtained at the expense of those whom it should be the duty of that House especially to protect—he meant the labouring classes. In his opinion, all contracts made for money wages should be fulfilled according to the terms in which they were made, but they could not be said to be fulfilled if a man contracted to be paid in money, and was only paid in goods. The object of the Bill was, to give effect to contracts made for wages, by obliging the party making them to pay the full amount in money, and not in goods. He knew the effect which the Bill might have on the labourer, and the difficulty the manufacturer might feel from being obliged to pay wages in money; he knew, also, that from a difficulty of this kind had arisen, in many instances, the system which it was the object of this Bill to abolish; but it was at the same time impossible to deny the fact, that there had been a rivalry amongst the masters to see how far they could carry their system of extortion against the workmen. The best way to put an end to this was, to oblige them all to pay their contracts with the workmen in money. Why was money invented at all, but that it should be an invariable standard, and a measure of value in contracts between man and man, and to prevent the inconvenience which must follow from having that standard in articles perishable in their nature, and changeable in value? The system of paying in goods, and not in money, had arisen from the exercise of power on the one side over the necessity which existed on the other. The workman was obliged to submit, because he could not obtain employment on any other terms. The difficulty of the master was not caused by a want of a sufficient quantity of the circulating medium; but the effect of that to the workman had been, to lower his wages twenty per cent, and, in some instances, twenty-five per cent. This system ought not to be allowed to continue: it must lead to discontent and dissatisfaction throughout the country, which it should be the business of the Legislature to prevent; and if this Bill were not to pass in the present Session, it would be productive of serious inconvenience. Hon. Gentlemen talked of the great advantage of producing a larger quantity of money transactions; but one of the great evils of this system, if it were persevered in, would be, that capital would be driven out of the manufacturing districts. Instead of trading upon money capital, as heretofore, masters got credit for provisions, and that was all the capital upon which they traded. The underselling of other manufacturers, of which the hon. Member spoke as a consequence of the present system, was not an underselling by means of the manufacturers' greater capital, skill, and industry; it was an underselling at the expense of the earnings and comforts of the industrious part of the community. Of all the measures which had been under consideration this Session, this very measure was that one on which would depend the good feeling, the tranquillity, and improved condition of the immense concentrated masses of population employed in the manufacturing districts of this country. He said that without any reference to the feeling that connected this system with his constituents, for by the liberality and industry prevailing among them, they were able adequately to reward those whom they employed, so that the truck-system was unknown in Liverpool. The consequence of this was, the prevalence of the best feeling between masters and men; and between the two, a greater satisfaction existed than was to be found in any other place in which there was an equal population. He would not weary the House with the details of the consequences of this system, as they had been described to him; but any Gentleman who would take the trouble to inform himself as to what was passing in Staffordshire, and in part of the clothing and cotton districts, would find, that a great part of the distress prevailing there was not so much owing to a want of employment, as the undue, the unfair competition to which the truck-system gave rise, by making the whole trade a struggle between the avarice of the master and the comforts of the workmen. Unless Parliament resorted to some measure of value, as the standard whereby to determine the fair remuneration of the workman, the degradation and extortion of the present system would be inevitably continued. Why should the Legislature not do towards the poor and helpless part of the community, what it had ever been the policy of the law to do towards all those who could not protect themselves? It was the duty of every State to enforce the fulfilment of contracts in the sense in which they were made; there were many instances of the Legislature doing this, as well as instances of its interference for the protection of those who could not protect themselves, or who, perhaps, could protect themselves, but, by the arts of others, were led to make improvident bargains. What, for instance, was the Act which related to the lending of money upon annuities? That Act was passed, not to protect persons who were obliged to sell their labour for whatever they could obtain for it,—not for the protection of the most helpless—of the least informed—of the most friendless part of society, but for the protection of those who might, from circumstances, be obliged to have recourse to money-lenders. That Act provided that every contract should be void unless the payment contracted for in money be paid in money. Why should we not extend the same protection to those who had no friend to guide them, and who looked up to the Legislature as their shield against the extortion of those who regarded only their own advantage, and never thought of the sufferings and afflictions of those whom they employed? It was upon these grounds that he was ready to acknowledge that, on the score of humanity and feeling, he gave his support to the Bill, and should do so, even though it were opposed to all the doctrines of political economy, with which, however, he contended it was perfectly consistent. The bill that had been read a third time to regulate the Sale of Arms in Ireland, might be said to be an Act trenching upon the liberty of the subject; but the necessity existing for such a measure compelled Parliament to pass it. Was there not a like necessity in the present case,—and was it not the duty of the Legislature to yield to it? There was; and the House would not manifest a proper sympathy for the working classes if it did not make every effort to pass the Bill.

Mr. *Hudson Gurney* thought it would be impossible to take the Bill clause by clause, and examine it properly, in the present circumstances of the Session; so that, on the whole, the less evil would be, to leave the law as it stood, discouraging, although not prohibiting, the truck-system, till next Session, when a Select Committee might be appointed, composed of Members from different parts of the country, who would be able to inquire into the subject.

Sir *Robert Wilson* wished to say a few words in support of this Bill. Looking at the state of vassalage to which the population of South America had been reduced by this truck-system, it was not at all desirable that it should be introduced into England. One of its consequences was, that it gave a fallacious remuneration to labour, professing to do what it never performed. Another of its consequences, which was most evil, was, to extinguish the class of retail traders; a class satisfied with small profits, but upon which they brought up their families properly and respectably. The doctrine of the truck-system might be in favour with philosophy and philosophers; but as it was at variance with philanthropy, he should vote for the measure that was to put an end to it. The House, he was sure, would not tolerate it, but would shew the persons who wished to introduce it, that it would meet with anything but encouragement from the Legislature.

Mr. *Hume* was surprised to hear the hon. and gallant Member compare the situation of South America with that of this country,—for, in his opinion, no comparison could be instituted between them. He must protest also against the hon. member for Liverpool imputing avarice, fraud, and cruelty, to gentlemen whose conduct was quite undeserving of such epithets. He said there were persons who traded without capital; it might be so; and there were many others who traded with little capital; but should they not be at liberty to compete with others, who had large capitals, as they best could? The right hon. member for Liverpool said, was it not cruel, unfair, and unjust, that a master who stipulated to pay in money should pay his workmen in goods? Undoubtedly; but the Bill said nothing about that. The Master of the Mint, too, said, would it not be cruel and harsh that many contracts should not be fulfilled? and in that he agreed with him, as well as with the hon. member for Liverpool. The right hon. Master of the Mint admitted, that he could see nothing unfair in a workman receiving part of his remuneration in food, part in clothing, part in rent, and part in money.

Mr. *Herries* wished to put the hon. Member right—he had stated that such a course would be liable to great danger, Mr. *Hume* understood the right hon. Gentleman to say that a man might stipulate for house-rent and fixed wages, but this Bill did not allow anything whatever to be given to a workman except money; therefore the right hon. Gentleman, in supporting this Bill, took from his hon. friend (Mr. Littleton) the principal argument on which the Bill was founded. He entreated the House to consider, that our manufacturers were complaining that they could not meet with foreign sales, because they could not compete with the foreign manufacturer. The right hon. member for Liverpool had repeatedly said, that the only way for us to do so was, to bring down the price of our own articles. But what did the preamble of the Bill say? "And whereas such masters as still continue by secret and fraudulent means to evade the above recited Statutes, supply their workmen, on the credit of their wages, with goods of inferior description, and of inadequate value, and are thus enabled to undersell." So that the object sometime professed by the right hon. member for Liverpool was directly controverted in the Bill he was then advocating. How was he to reconcile such inconsistency?

Mr. *Huskisson:* Read on.

Mr. *Hume* knew that the words "money-paying masters" came, but what right had the Legislature to say to any man that he should not undersell those whom he pleased? It was impossible that the Legislature could direct men how they should conduct their business. Some hon. Members had asked, what was meant by sound principles? Every principle was sound which was supported by common sense, and the interest of the country; and common sense required that masters and men should be left to make their own bargains, in their own manner, always, of course, providing against violence. It was said, however, that fraud was used in these cases. He denied it, but if there was fraud, let it be proved, and the law would punish it. Hon. Members had entered into long details of the evils produced, as they said, by this system; but he denied that the evils they spoke of arose from this system, and if a committee were granted, he would shew the adverse witnesses convicting themselves of stating an impossibility. The hon. member for Staffordshire had alluded to the difficulty of getting witnesses to attend a committee in this case; but did he remember the state of things that existed when the Committee on the Combination-laws assembled? Did he recollect bringing a witness from Staffordshire, who employed 200 or 300 men—to prove what?—why, that the trade of the country would be ruined if artisans were allowed to go abroad: but the whole of his argument to prove this was so absurd, that, out of consideration to that respectable gentleman, the Committee agreed, on the motion of the hon. Member himself, that the whole of the cross-examination of this witness, in which his absurdities were exposed, should be struck out. But how could there be any difficulty in getting witnesses in this case, when there were upwards of seventy petitions? A great prejudice seemed to prevail in the House in favour of this Bill, but it was not greater than existed in favour of the Combination-laws; and yet, when the inquiries of the committee concerning them terminated, not a doubt remained on the mind of any man of their mischievous effects. The country delegates themselves, who came up to support them, agreed that they had been in the wrong, and that they were the constant source of litigation and discontent. They were removed, and what had been the consequence? The right hon. member for Liverpool had singled out his constituents as exempt from the failings of the rest of the country, but did he not remember, that before the repeal of the Combination-laws, such irritation existed with regard to them in Liverpool, that ten ship-builders in that town were afraid to have their evidence taken separately, but were all examined together, in order that it might not be known what each individual said. If the right hon. Member was not deterred by his own want of principle, he ought to be glad to have a committee appointed to inquire into this subject. He said want of principle, for he was prepared to prove, by the examinations of the right hon. Member himself, that he did not continuously support his own doctrines. He called upon the House, therefore, not to suffer passion and feeling to run away with good sense; but at this late period of the Session to postpone the Bill till the House again met, when a committee could be appointed to inquire into the matter. He would then prove, to the hon. member for Staffordshire, that he was wrong; and, that not more than twelve months ago he supported the principles he was now opposing.

Mr. *Littleton* assured the hon. Member that he was mistaken.

Mr. *Hume* could, however, have no doubt, that if the House were to appoint a committee, he would shortly acknowledge himself to be in error. He held, that when two individuals, in the situation of master and workman, had a mind to do that which was for their mutual interests, and could hurt no one else, it would be almost impossible for any law to prevent them. They now did that, and notwithstanding all the Statutes which had been passed for the last 200 years, the Legislature had not been able to prevent it. The circumstances of their situation obliged workmen to accept of this mode of being remunerated for their labour, and to attempt to prevent them doing so might seriously endanger the peace of the country. He could not agree with the right hon. member for Liverpool, that this was the canker which affected the whole community. It was bad legislation that caused all the evil. It was their duty, therefore, to institute an inquiry which should prevent the people remaining longer under any delusion as to what it was which affected them. If the House was right in passing this Bill, there was no reason why every man in the country should not be told how to carry on his business. [*Sir Robert Peel here called "Question?"*] The Question would be put presently; but he must say that it was quite indecent in a Minister of the Crown to cry "Question" when a Member was delivering his opinion upon a subject of so much importance. He should be happy to listen to the arguments of the right hon. Gentleman in favour of the Bill, and he hoped he might be allowed to deliver his sentiments. He contended, that in this case, the House was proceeding in ignorance and darkness, and that it ought not, without inquiry, to risk the starvation of thousands of individuals. It was for those reasons that he should think it was his duty to oppose this Bill in every stage, so as, if possible, to prevent its passing this Session. He could assure the hon. member for Staffordshire, that he had no interest on this subject to bias his mind, and that he had no connexion whatever with any district in which the interested feelings of others could actuate him. He might, therefore, be considered, perhaps, a more impartial judge than the hon. member for Staffordshire, and others who were so connected with districts in which this system was carried on, and who had their feelings excited on the subject. He had seen some most respectable manufacturers, who said that the excitement caused by petitions and public meetings made them afraid to come forward, but that, if a committee were granted, they could shew good reason why the Bill should not pass, and would have no objection to be examined before a committee.

Sir *Robert Peel* was sorry that, by any impatience on his part, he had been betrayed into such a want of courtesy as to call "Question," but he could assure the hon. Gentleman, that it was only meant as an appeal to him to consider whether he had not nearly exhausted his argument, and whether he would not, in the state of the Session and of the House, attempt to compress what he had to say within as narrow limits as possible: by not doing that, a great deal of time was wasted. What did the argument of the hon. Gentleman consist in? He said, "I am not unwilling that you should enforce contracts, and I think it an advantage that one man should undersell another." Enforce contracts! yes, but a contract by which a man was paid in truck could not be enforced, for it was to be decided by one party, and suffered by another, just as the interest and inclination of the first might dictate. If a man contracted to pay another 1*s.* for his labour, he could tell whether he got a bad shilling, or whether he was paid 11*d.* or 12*d.*; but if the contract were for provisions, by what regulations could the Legislature ensure the workman good articles? what rule would it abide by?

Mr. *Hume* said across the Table, "the market price."

Sir *Robert Peel*: the hon. Member then admitted the justice of the rule, and said, take the market price if you please. But the market price of what?—if a man had cheese or bread of inferior quality, the market price would be inferior. The truck contract was manifestly to the advantage of one party, for that one fulfilled it as he thought proper. Persons engaged in the manufacture of cotton were not the best judges of the qualities of provisions; but having bought a stock, although they deteriorated, they still paid them away to their workmen, who having entered into a contract to receive provisions, had no tribunal to which to apply for relief. This was a radical, a fatal objection to the system;

and when the hon. Gentleman said, that it was against all principle to interfere in this manner, would he say why we had any regulations with respect to weights and measures, when, according to his doctrine, every one ought to be left to weigh and measure as he pleased? Again, with respect to the medical profession, why did the Legislature throw difficulties in the way of incompetent persons acting as surgeons? why should it not allow any man who might wish to set up for a doctor so to do? for its not doing so, according to the hon. Gentleman, must be against all principle. The general rule certainly was, to leave each person free to transact his own concerns in his own manner, and there ought to be special reasons to induce the House to interfere with them. Here the special reasons existed, and the question was, whether the advantages to be gained by special interference outweighed the advantages of abiding by the general rule. In his opinion, the truck-system had a direct tendency to undermine the independence of the workmen. The doctrine of the hon. Gentleman was, that to undersell at any rate, and by any measure, was an advantage to the community. That he denied, and he affirmed, that when one man was able to undersell another upon profits derived from extorting the comforts of the workmen, he accomplished it by a positive disadvantage. The great evil of the present day was a tendency to diminish the enjoyments of the poorer classes—to lower them in the scale of society—and widen their separation from the upper classes; and he could conceive nothing more likely to reduce them to a state of servitude than that their master, who might be getting 8,000*l.* or 10,000*l.* a year by his manufactory, should take from them 2,000*l.* or 3,000*l.* more, by dealing in bacon and cheese. He hoped that if this Bill were lost by the means which the hon. Member possessed, and might use, to defeat it, that the working classes would understand that it was he who was responsible for the consequences.

Sir *Mathew White Ridley* said, that many facts had come to his knowledge, shewing the necessity of some such provisions as those contained in this Act; but he could content himself with stating one of them. A drove of pigs were on their passage through Staffordshire, where they were all bought by a manufacturer, at the rate of 3*d.* per lb. They were all killed and put into salt and water for ten days, when they were retailed by the manufacturer to his workmen at 10*d.* per lb. Now, was not this a gross fraud on the unfortunate workmen who were compelled to take this meat, and had no means of protecting themselves against the avarice of their rich and powerful master? It was not necessary, in his opinion, to go into a committee, for there were facts enough before the House to convince it that Parliament was called upon to proceed upon the principle of extending protection to those who could not protect themselves.

Mr. Alderman *Waithman* thought the Bill absolutely necessary for the welfare of the labouring classes, and should therefore give it his warmest support.

The House went into the Committee.

Mr. *Hume* said, he must complain that he was not fairly treated by the right hon. Gentleman, in being held up to the country as responsible for the defeat of a Bill, which was spoken of, very unjustly in his opinion, as highly favourable to the interests of the labouring classes.

The Committee went through several of the Clauses, and agreed to several verbal Amendments.

Mr. Warburton then moved, that the Chairman report progress, and ask leave to sit again.

Motion agreed to, the Committee to sit again on Wednesday.

HOUSE OF LORDS,

Tuesday, July 6.

MINUTES.] The Arms (Ireland), the Treasurer of the Navy, and the Fees Abolition Bills, were brought up from the House of Commons.

Witnesses were Examined on the East Retford Disfranchisement Bill.

Petitions presented. Against the Stamp and Spirit Taxes (Ireland), by the Marquis of ORMOND, from the Freeholders of Monoghan. Against the Sale of Beer Bill, by the Earl of CARNARVON, from the principal Inhabitants of Little Risington and Hastingden:—By the Earl of FALMOUTH, from the Licensed Victuallers of the Isle of Thanet:—By the Earl of WARWICK, from the Licensed Victuallers of Warwick:—By the Earl of MORLEY, from those of Plymouth and Devonport:—By the Duke of GRAFTON, from those of Norfolk and Cambridgeshire. Against the Surrey Coal Meters Bill, by Lord DURHAM, from Thomas Bradfield, of Derby-street, Westminster. By the same noble Lord, in favour of the Northern Roads Bill, from the Freeholders, Commissioners of Supply, &c. of Ayr. For the abolition of Colonial Slavery, by the Earl of SHAFTESBURY, from Hutton, Rudby, Seamer, Yarm, and Crathorne. Against the Court of Session (Scotland) Bill, by the Duke of BUCCLEUCH, from the County of Mid Lothian.

SCOTCH JUDICATURE BILL.] The Marquis of *Lansdown* presented a Petition from certain Writers and members of the Scotch Bar, resident in Glasgow, against the measures in progress in Parliament, for the improvement of the present system of Jurisprudence in Scotland. The noble Marquis said, he approved of the principle of those measures, but he knew that the highest authorities in Scotland thought they might be very injurious, and therefore he hoped that they would be carried through in the spirit, not of a hasty, but of a temperate and deliberate reform; giving full time to all the parties interested in them to understand them thoroughly before they were passed into laws. On the whole, he was of opinion that it would be wise to postpone those measures till another Session of Parliament.

The Earl of *Lauderdale* had a Petition, of a somewhat different kind, to present, from certain law-officers and practitioners in Edinburgh. The petitioners prayed for compensation for the loss which they should experience if the Bill then before the House, for introducing the system of Trial by Jury into the Courts of Session, should pass into a law. The noble Earl contended that the Bill was uncalled for,—that it was opposed to the wishes of the leading members of the Scotch Bar, and that it was in principle contrary to the principles of Scotch jurisprudence.

The *Lord Chancellor* begged to say, that he trusted he should, on Friday next, when the Bill, against which the noble Earl's observations were directed, stood for a second reading, not only establish to their Lordships' conviction the expediency of its principle and details, but also that it was highly approved of by those lawyers in Scotland most competent to give a sound opinion on the matter.

Viscount *Melville* was able to state, from his own knowledge of the fact, that the measures in progress were anxiously sought for by the members, generally speaking, of the Scotch Bar, particularly that for introducing the Trial by Jury into the Courts of Session.

The Earl of *Lauderdale* had heard a very different opinion from those whom he had consulted. The noble Lord moved, that the parties from whom he had just presented a petition should be heard by counsel against the Bill.

The petition being directed against parts of a bill, and it being contrary to form to hear counsel against parts of a bill on the second reading, the noble Lord, on this being explained to him, withdrew his motion.]

SALE OF BEER BILL.] The Duke of *Richmond* presented a Petition from the Licensed Victuallers of the Metropolis, against the Sale of Beer Bill. The petition was signed by not less than 4,000 of that body, and was well deserving of their Lordships' attention. Though approving of the principle of the Bill, he could not consent to its being passed in its present form, as it would totally destroy the vested interests of a very numerous and respectable body throughout the country, the publicans and licensed victuallers. Why should that body be the exception to the rule which usually guided their Lordships' proceedings—that of either affording compensation to the parties who might experience injury from any Legislative measure of change like the present, or at least of affording those parties time to adjust their affairs, so as to admit the public, at no distant period, to the full benefit of the measure? With a view to attaining in degree those objects, he should, when the Bill was in committee, move a clause to prevent ale or beer, sold under the Bill, from being drunk on the premises.

The Earl of *Falmouth*, on presenting a similar petition from St. Botolph, Aldgate, said, he agreed with the noble Duke as to the expediency of a clause to protect the vested interests of the publicans and licensed victuallers, which would be seriously injured, if not destroyed, by the Bill as it then stood, but could not agree with him in approving of its principle. If the Bill were passed without the Amendment of the noble Duke, it would do incalculable injury.

The Duke of *Wellington* moved the second reading of the Bill. In doing so, he would trouble their Lordships with a few observations, which he thought it proper to make, in consequence chiefly of some remarks made by the noble Duke who presented the petition from the publicans of London. Their Lordships were aware that the subject had been very much discussed in the other House, and that evidence on the subject had been there taken before a Select Committee. The effect of the Bill, if passed into a law, would be, to enable any person to retail beer under a license from the Excise, without a license from the Magistrates, and there were provisions in the Bill for the preservation of peace and good order in those places where beer should be sold under the authority of this Bill. One great object of the measure was, to enable the country at large, and particularly the lower orders, fully to avail themselves of the advantages to be derived from the other measure connected with this one—he meant the bill for the repeal of the Beer-Duty. He was aware of the objections that had been made to this Bill, some of which had been mentioned by the noble Duke to whom he had just referred ; and if the objections should be further pressed in the course of any discussion that might arise that evening, he hoped for their Lordships' indulgence while he adverted to such topics in reply as might occur to him. At present the objections to the Bill appeared to him to resolve themselves into two; first, the danger with which the measure was likely to be attended, with reference to the peace and good order of the community, from the permission given to sell beer at any place licensed by the Excise, without any license from the Magistracy; and, secondly, the great injury which would result from it to the great body of publicans who had invested their property in public-houses licensed by the Magistrates. As to the first objection, their Lordships would find, on an examination of the Bill, that it contained a variety of regulations which were calculated to remove all reasonable apprehension of any serious danger to the peace and good order of the community. There were provisions for preventing the houses from being kept open at improper hours, more particularly on the Sundays; and other regulations for the prevention of disturbance and riot were enforced under severe penalties. As to the alleged injury to the property of those who had already invested their capital in the public-houses licensed by the Magistrates, it ought to be recollected, that they had hitherto enjoyed large profits from the monopoly of this trade, and that Bill was confined to beer alone, and did not trench on the monopoly which they had in the sale of wine and spirits. Besides, they would have their full share of the advantage to be derived from the abolition of the Beer Duty, and they would, in all probability, gain more by the increased sale of beer which would follow that abolition, than they would lose by throwing open the trade. It was obvious that, in the competition, these public-houses would have great advantages over other houses, by the superior accommodation which they could afford. He was convinced that the measure would be attended with the most beneficial consequences to the lower orders, by enabling them to drink a superior article at a much cheaper rate than they had been accustomed to do, and he did not anticipate that there could be any very serious objection made to the second reading of the Bill.

The Duke of *Richmond* thought, that he was entitled to make some observations in presenting a petition from 4,000 Publicans of the Metropolis, complaining of the want of a clause in the Bill to prevent the retailers of beer under the Excise license from allowing the article to be consumed in their own houses. He had stated, and he repeated what he had said, that he was no enemy to the principle of the Bill, but his objection was, that the retailers of beer, under the Excise license were to be allowed to permit the beer to be consumed at their own houses, to the great disadvantage of the publican. He also objected to the early period at which the Bill was to come into operation, and thought that a longer time ought to be allowed to the publicans, who had vested rights in their houses, to prepare for the change. This was a consideration of very great weight, when their Lordships were dealing with the interests of 50,000 British subjects.

The Earl of *Malmesbury* observed, that the profits made by the publicans were very far from being so large as the noble Duke (Wellington) had represented them to be. He was sure, that in the country, at least, they were by no means so large, and that, on the contrary, the business in general could afford little beyond the bare means of subsistence; and then as to the accommodations, there was nothing in this Bill to prevent those retailing beer under the Excise license from having quite as good accommodations as the publicans licensed by the Magistrates. With reference to the Bill for the repeal of the Beer-duty, he concurred in the principle of the remission of from 3,000,000*l.* to 4,000,000*l.* of taxes—which he believed would be beneficial to the whole community, and particularly to the lower orders. But then the question was, what taxes ought to be repealed ? and as to that, he must say, that it appeared to him that there were many things with respect to which 3,000,000*l.* of taxes might be repealed much more beneficially than the Beer-duty. For instance, the repeal of the duties on candles, on soap, and on windows, would be much more beneficial. As to the effect of the measure on the existing body of publicans, the question was one of very great importance with reference to the property which would be affected, for the amount of property invested in public-houses was very large. In the metropolis alone, there was good reason to believe that no less a sum than 30,000,000*l.* was so invested; and yet, by this Bill, which, as it at present stood, was to come into operation in October, only a period of about three months was to be allowed to the publicans to prepare for this great change. The publicans, if the Bill passed in its present shape, would be placed in the most ruinous condition. So that, by means of this Bill, the remission of taxation, when so accompanied, would be to them no advantage, but, on the contrary, would be attended with great loss. Besides, the remission of taxation ought to apply to the whole of the country equally, and the remission, in this case, was most unequal. It was applicable principally to the large towns; and then, as to the counties, in Middlesex and Surrey it would operate as a remission of 11*s.* 6*d.* per head, while, in the whole of the rest of England, it would operate as a remission of only 4*s.* 6*d.* per head. There was a most valuable class of the community—he meant the class of agricultural labourers—who would benefit very little in proportion by the remission of taxation in this way. They would benefit at least as much, or more, by a reduction or repeal of the duty on malt,—a duty which, to use the country phrase, took the heart out of the beer. It was a remarkable circumstance, that in the ten years up to 1730, 500,000 more quarters of malt were consumed than in the ten years up to 1830. That must be owing to the duty; for there could be no doubt but that the population had increased, probably one-third, in the course of the last century; and certainly the gentry in the country had increased in that, or a larger proportion. He certainly felt himself called upon to propose an Amendment to this Motion, although it was not his intention to press it to a division, as the best opportunity for discussion would be afforded when the Bill came to be committed. But he thought it essential that on this subject witnesses should be examined by their Lordships on oath. It was true that the matter had been investigated in the other House by the examination of witnesses, and the result of that examination was before their Lordships; but the investigation was very imperfect. They had not examined Magistrates, who, from their knowledge of the country, could give the best information; but only retail brewers, and people of that description, and one Scotch Member of Parliament; and to this latter circumstance it was probably owing, that the Bill was not extended to Scotland, Mr. Home Drummond being of opinion that they had no occasion for it in Scotland. It had been said, that the effect of the Bill would be, to cause a much superior liquor to be brought to sale; but in his opinion it would be attended with no such effect. On the contrary, he thought the beer would be worse instead of better. He could not help thinking that the Magistrates were aimed at by this Bill; but although they had been the subject of much obloquy in some quarters, they were much better guardians of the interests and the morals of the lower orders than Excise-officers, who would look to nothing but the increase of the Revenue. This measure would be greatly in favour of the Excise officers, for it would be absolutely necessary to extend the machinery of the Excise to a most enormous degree, in order to prevent the frauds to which otherwise this measure must give rise. His object, however, in moving an Amendment at present was, in order that his objections to the Bill might appear in some shape on the Journals of the House. He therefore proposed that the Bill, instead of being read a second time this evening, should be read a second time on Tuesday next, and that in the meantime a Select Committee be appointed to examine into the regulations now in force respecting the sale of beer, and what alterations might be beneficially adopted, &c.

The Earl of *Falmouth* did not concur with the noble Duke in the opinion that the present measure would be conducive to the advantage of the lower orders. In his opinion it had a direct tendency to lead to serious disturbances and a relaxation of the morals of the people. It would also prove a most grievous injury to those who in this metropolis had 30,000,000*l.* invested in public-houses, licensed by the

Magistrates. This latter ground of objection was a strong one, but he confessed that what weighed principally with him was the mischievous effects with which it would be attended, with reference to the morals of the lower orders. It was unnecessary for him to say much on the subject, after the observations of his noble friend (Lord Malmesbury) on the opposite Bench, who, contrary to many others, resided much in the country, and had an opportunity of being well acquainted with the subject. But there was one circumstance which he considered as of much importance, and which had not been touched upon. The noble Duke had said that the publicans would still have the monopoly of the sale of wine and spirits; but there were 7,000 publicans in this country who sold beer only, and took out no license for the sale of wine or spirits. He concurred with his noble friend, that this was a sacrifice of the morals of the people for the sake of the Revenue; and that it was much better that they should be under the control of Magistrates than of Excise-officers.

Lord *Teynham* understood the object of the Bill to be, to afford some relief to the distress under which the lower orders had lately laboured, and he hoped that Ministers would find the repeal of the Beer-duty so beneficial in that respect, that they would consider whether the Malt-duty also might not be repealed. As to the property which had been invested in public-houses, he could not understand how this could be called a vested right or interest. The principal advance made was the sums allowed for the good-will of houses, of which, however, the business depended on the discretion of the Magistrates; and this, therefore, could not be properly considered such a vested interest as the Legislature was bound particularly to protect. He did not think that the measure would be injurious to the lower orders, for the houses which would be opened for the sale of beer by the authority of this Bill would be as much under control as the public-houses which actually existed. As to what had been said about the diminution of the consumption of malt, he would observe that the consumption of hops also had diminished; but he hoped that the result of the measures in progress would be, to increase the consumption of both, and do away with the adulteration of beer.

The Duke of *Wellington* requested permission to say a few words. It appeared to him that the object of this Bill had been in some measure misunderstood. This was not a question of preference as to the remission of one tax as compared with the remission of another. The object was, to regulate the beer-trade, and to extend the power to retail it to houses licensed by the Excise, instead of confining it to houses licensed by the Magistrates; and this measure was necessary, in order to give the people the full benefit of the repeal of the Beer-duty. And the benefit would be a very great one to the lower orders, for by means of these bills it was probable that the price of beer would be diminished by 2*d*. per pot, or about forty-five per cent. The advantage would not be great to their Lordships, or people in the higher stations; but the lower orders would derive great benefit from the abolition of the Beer-duty, and for that reason it had been selected. The object of the present Bill was, to give the people the full advantage of the remission of that duty. He apprehended no danger to the peace and good order of the community from the present Bill, as the necessary provisions had been introduced to prevent the peace of the community from being broken and the morals of the people from being injured. If their Lordships would examine minutely the evidence given before the Select Committee of the other House, they would see that there was no danger to be apprehended from the want of control by the Magistrates. As to the publicans, he still considered that they had derived great profits from the monopoly, and if that was trenched upon by this Bill, they would receive ample compensation by the increased sale of beer, in consequence of the reduction of price which would be occasioned by the other measure for the repeal of the Beer-duty.

The Earl of *Malmesbury* explained. This measure would not have the effect of doing away the monopoly. At present all was monopoly, owing to the great accumulation of capital in the hands of individuals; and there was no more monopoly in public-houses than in other property. The great brewers met and fixed the price of porter, and enforced the price by their command of the public-houses. This, to be sure, was a monopoly depending on the great command of capital enjoyed by the principal brewers. But where there was a great accumulation of capital in the hands of a few individuals, this kind of monopoly would always prevail.

Lord *Ellenborough* observed, that what had been stated by the noble Earl himself afforded a strong reason for an alteration in the present system. The noble Earl had not sufficient data for his calculations relative to the diminution of the consumption of malt.

The Earl of *Malmesbury* said, that he could not conceive how an inference could be better founded than that which was derived from taking two periods, each of ten years, at the distance of a century from each other. It was clear that the population, and particularly the number of the gentry, had increased, and yet the consumption of malt and strong beer, or what had been called the nut-brown ale, had diminished.

The Duke of *Richmond* contended that the interest in the public-houses was a vested right, and ought to be protected as such, as much as other vested rights.

Lord *De Dunstanville*, on the other hand, maintained that an interest which depended on the will of the Magistrate could never be properly called vested. The person who took a public-house knew that it depended on the discretion of the Magistrate, exercised every year, whether the license to his house should be continued; and how could this be called a vested interest?

The Duke of *Richmond* said, that it was almost the invariable practice of the Magistrate to renew the license, in case the party had behaved well, and therefore he still contended that in effect this was a vested interest.

The Amendment of the Earl of Malmesbury was negatived, and the Bill was read a second time.

HOUSE OF COMMONS,

Tuesday, July 6.

Minutes.] Returns ordered. On the Motion of Mr. W. Whitmore, Official and Declared Value of Exports and Imports between China and the East Indies; Tonnage employed in that trade:—On the Motion of Sir H. Parnell, of the number of Carriages, Hackney Coaches, and Horses charged with Duty, in each year since 1815; the produce of the Duties on Posting in each year since 1825 inclusive:—On the Motion of Mr. Attwood, the Amount of Money subject to the claims of the Creditors of the Nabob of the Carnatic:—On the Motion of Mr. Herries, the Twenty-second Report of the Commissioners of Revenue Inquiry.

The Beer and Cider Duties Repeal Bill, and the Militia Pay Bill, were read a second time.

Petitions presented. Against the excessive Labour in Cotton Factories, by Mr. E. Davenport, from the working Cotton Spinners of Stockport, and from the Inhabitants of Macclesfield. Against the Stamp and Spirit Duties (Ireland), by Mr. O'Connell, from Kill St. Nicholas, Passage Santry and Coolock. For permitting Senior Proctors in the Prerogative Court (Ireland) to take Apprentices, by Mr. O'Connell, from John Swift. Against Stamps on Medicines, by Mr. J. D. Williams:—For an account of the Tontine Annuities (Ireland), by Mr. Hume, from certain of the Annuitants. For facilitating the Study of Anatomy, by Mr. Warburton, from the Westminster Medical Society.

Auction Bill.] Colonel *Sibthorp* called the attention of the Chancellor of the Exchequer to the injury which honest tradespeople suffered from the frequency of mock auctions. It often happened that persons—the Lord knew who—coming from the Lord hardly knew where—visited large towns, and offered goods to sale, much to the injury of the resident tradesmen. This evil seriously affected the city of Lincoln, and indeed the whole county. The hon. Member then alluded to the unsatisfactory state of the Revenue, as published in the papers. That convinced him of the unhappy state of the Administration, and the fallacy of the prediction of the Chancellor of the Exchequer, that all the evils of the country were nothing but a passing cloud. Instead of the clouds passing, he thought they were collecting more and more every day. He wished to ask the Chancellor of the Exchequer if he meant to bring in an Auction Bill next Session, because, if that were not done by somebody else, he should find it necessary to do it himself.

The *Chancellor of the Exchequer* said, the subject mentioned by the right hon. Member was worthy of consideration, though he could not give any pledge as to what course he should adopt.

Custom-House Establishments.] Mr. *Hume* then proceeded to move for certain returns connected with the Custom-house Establishments in certain ports of the United Kingdom. The hon. Member, after stating that in many ports the charges and expenses of these establishments exceeded the revenue collected by fifty and even 100 per cent, and after specifying several ports in which such was the case, concluded by moving for a return, stating the name of each officer in those establishments, the amount of salary to which he is entitled, the amount he receives, and the duties which he has to perform, under separate heads, up to the 5th of January, 1830. This, he remarked, was merely intended as a continuation of former returns, and he understood that the right hon. Gentleman opposite would make no objection to it.—Returns ordered.

Civil List.] Mr. *Hume* said, he had another motion, respecting the Civil List, to which he understood the right hon. Gentleman would assent. His Motion was, for the re-printing of the Reports of the Committees on the Civil List, which were published in 1803, 1804, 1812, and 1815. It was upon the average of all those reports that the Civil List was settled in 1816, and it has stood since that time to the present day. In the first of those Reports the committee stated, that it was necessary to enlarge the Civil List, on account of the advance that had taken place in the prices of all articles of expenditure connected with the Lord Steward's department; and the Committee of 1815 justified an increased addition to the Civil List on similar grounds. He was anxious to have those Reports printed and before the House, in order that they might be in the hands of Members when they should come to the consideration of the Civil List. The prices of all the articles to which those Reports referred had fallen considerably since 1815, and he hoped, therefore, that when they came to settle the Civil List, they would return to the scale of the year 1793.—The Reports ordered to be reprinted.

Answer to the Address.] Sir R. Peel laid upon the Table the Answer of his Majesty to the Address of the House of June 30th. It was to the following effect:—

"I feel grateful to you for this loyal and dutiful Address, and I thank you for the assurance that you will apply yourselves without delay to the making such provision as may be required for the public service, during the interval that may elapse between the termination of the present and the calling of a new Parliament."

Regency.] Mr. *Robert Grant* rose to move, pursuant to notice, an Address to his Majesty, touching the expediency of making provision against the dangers to which the country might be exposed, by a demise of the Crown. He commenced by observing, that in bringing forward such a subject for the consideration of the House, he was fully impressed with the difficulties and delicacy by which it was surrounded. He was quite aware, he said, at the same time, that there was scarcely any question which, under existing circumstances, was so closely connected with the well-being of the Monarchy, and with the safety of the State and the Constitution of the country; and, however much was the difficulty and great delicacy which attended the discussion of such a question now, that difficulty and that delicacy would be rendered incalculably greater if, in consequence of delaying the consideration of it, an event should occur in the mean time, which would fill the nation with mourning, and the occurrence of which (and he trusted that it was far, far distant) must be contemplated by every loyal and faithful subject with the deepest regret. He wished here to state why he had brought this subject forward now, after the discussion that had already taken place, and still more why he had taken upon himself to call the attention of the House to such an important topic. His object in bringing it forward now was, that such an important question might be discussed at the present moment,—the fittest for its consideration,—and not postponed to a future period, before the arrival of which there was some danger of the occurrence of a contingency, by which all the embarrassments attendant upon the question would be multiplied ten thousand fold. So far, therefore, from having such a discussion postponed, it appeared to him that it ought to be taken up with promptitude, and proceeded upon forthwith. The discussion which had occurred on a former evening had reference to other subjects as well as this; it had been brought on also without notice: and under such circumstances he thought it his duty to call the attention of the House to this important subject by a separate and distinct motion. He did not bring this forward for personal or party objects; he was not inclined to do so with any questions, and this question could least of all be considered as a party question. He brought it forward under the conviction that Parliament should not separate without providing against the possibility of a demise of the Crown. Entertaining, as he did, in common with every man in the country, feelings of profound deference and respect towards the illustrious Prince who filled the Throne of these realms, he was anxious that this subject should, in the first instance, originate with the Crown. His proposition, therefore, would be, for an Address to the Crown, respectfully soliciting the Crown to recommend to the House to proceed to the immediate consideration of this subject. In moving the Address which he proposed to recommend, and in the comments he proposed to make upon the subject, it might be improper in him to exceed the comparatively contracted ground of pressing its adoption on the House. It would therefore be his duty to content himself with stating the reasons why he thought the House should implore the Crown to originate the discussion upon that momentous question; and it would certainly be inconsistent with his duty to rush into a consideration of what ought to be done previous to receiving an answer from that high quarter which, he submitted, they should address. And here he begged to declare, that in the remarks which he was about to make to the House, he would studiously avoid all personal or party allusions. He did think the subject was one of too great importance to be converted into an engine of any ordinary political purposes or feelings, and he disclaimed, from the bottom of his heart, all intention of touching upon any topic which could by any possibility, or in any manner, encroach upon that loyal and reverential attachment to the Sovereign at present upon the Throne with which every good subject should approach such a consideration. The very nature of the question, he admitted, involved some difficulties. That it did so he could not dissemble if he would. Conducting the question with the greatest caution, it was scarcely possible to avoid intruding upon the domestic privacy of an illustrious House. But the fact was, that a Constitutional Monarch was, from his situation, placed like a house upon a hill, and precluded from that secresy and seclusion which belonged to the domestic hearth of the subject. The House of the Sovereign, however, should be always safe from impertinent intrusion, and whenever he was compelled to allude to it, he should do so unwillingly and as slightly as he could. He might be asked why he now recommended a discussion as necessary upon a subject to which the attention of the House had been already called; and it might be argued, that although that discussion was taken without notice actually placed upon the paper, yet that since, for weeks together, their minds had been anxiously turned to that subject; there was, in fact, a virtual notice, so that, in no fair sense, could the House be said to have been taken by surprise. But upon this he said, and he was gratified in saying it, because more than one or two Members of Parliament (and one would have been sufficient) stated that they had not had notice that the attention of the House would not be called to the subject before a dissolution. He said, that however much the attention of the Cabinet might have been for a series of weeks directed towards this question, it was only two or three days before the discussion, that the idea had even been promulgated in public or private, that the proposition submitted by his Majesty's Ministers would be, not that one or the other form of Regency should be adopted, but that there should be no consideration of the question at all during the present Session. Now, he contended, that in that most important question they should not depart from the ordinary practice of their discussions. It certainly should not have been brought forward without the usual notice of the particular proposition which Ministers proposed to submit. Besides, the question came to them blended with other subjects, not becoming its own magnitude and importance, and subjects upon which contrary votes might be well given. Thus was the House embarrassed—for the question came before them clogged with several others, whereas it ought to have been laid before them single and independent, to the end that they might bestow upon it that due deliberation, and pronounce that solemn decision, which the public, the world, and posterity, might take as a verdict worthy the momentous importance of the subject, and the characters of the parties concerned. In advancing to the immediate consideration of his proposition, it might be expected that he would take some notice of the various precedents that might be deemed applicable to the present case, and which were to be found upon the page of history. He begged to state, that although, as was his duty, he had perused with some care all that our history presented as applicable to the subject, it was not his purpose to trouble the House, with details on the notice of precedents preceding the middle of the last century. Not that he meant for a moment to say that the precedents from our earliest history were all inapplicable; quite the contrary: but looking to the difference between the opinions and habits of men now, and at those more remote periods, and recollecting the fact, that the Constitution was not then settled, and remembering that many things then considered wise and beneficial, had since resolved themselves into what would now be called gross and glaring anomalies, he certainly did consider, that many of these precedents would not be so productive of utility as of doubt. He should, therefore, pass over the precedents that were furnished in the times of Henry 2nd, Edward 3rd, and Richard 2nd, and he should proceed at once to call the attention of the House to the two precedents that were to be found in the middle of the last century, and which, he conceived, were particularly applicable to the present case, which might be said, to have occurred in our own times, and in the House of the illustrious family still upon the Throne. He would now proceed, as he had before stated his intention, to the two precedents which had occurred in the last century, admitting that the least important of them was that which occurred in the year 1751. George the 2nd, being at that time advanced in age, upon the death of his son the Prince of Wales, recollecting that his grand-children were all in a state of minority, thought it necessary to send a Message to both Houses of Parliament, requesting them to make provisions—without stating what provisions—for a Regency adapted to the peculiar emergency which might happen to the country, in case of the succession falling to a Prince of tender age. The Message was sent to both Houses of Parliament on the 26th of April, 1751. It was followed by a second Message to the House of Lords, on the 8th of May, proposing to them to constitute a Council of Regency. On the 13th of May the Regency Bill was sent down from the House of Lords to the House of Commons; and in about four weeks afterwards, having passed both Houses of Parliament, it received the Royal assent. The more important precedent, however, was that which occurred in the year 1765. George 3rd having then been four years Sovereign of these realms, being also in the very prime of life, (for his age was not more than five-and-twenty,) alarmed by an illness which, though severe during its continuance, he had the highest authority for declaring not to have been dangerous, thought it necessary, not by a Message, but by appearing in presence of both Houses of Parliament, to call them to a consideration of the casualties belonging to his exalted situation, as well as to that of every other man, and requested them to make provision for the event of the succession to the Crown falling upon an infant Prince. The words in which that revered Monarch addressed his assembled Parliament upon that occasion, appeared to him (Mr. Grant) so striking, so pertinent, and so every way applicable to the present crisis, that, with their permission, he would read them at once to the House:—"The tender concern," said his Majesty, "which I feel for my faithful subjects makes me anxious to provide for every possible event which may affect their future happiness and security. My late indisposition, though not attended with danger, has led me to consider the situation in which my kingdoms and my family might be left, if it should please God to put a period to my life whilst my successor is of tender years. The high importance of this subject to the public safety, good order and tranquillity; the paternal affection which I bear to my children, and to all my people; and my earnest desire that every precaution should be taken, which may tend to preserve the Constitution of Great Britain undisturbed, and the dignity and lustre of its Crown unimpaired, have determined me to lay this weighty business before my Parliament." Such were the words, so far as they related to his sense of the exigency, that were used in the Address spoken to Parliament by that revered Monarch. They were dictated, he supposed, by those who were the responsible Ministers of the Crown at that period; and he was sure that he was not wrong in saying that they found a ready response in his Majesty's bosom. They were accordant with his manly and consistent character,—they bespoke at once the kingly firmness with which, for the benefit of his country, he could contemplate the termination of his life, and of his reign; the kingly spirit with which he regarded the situation of his family, and of the Monarchy at large, in case of that event? and the kingly heart and conscience in which he brought them distinctly before Parliament, in order that the quiet of the country might not be disturbed, that the Constitution might not be endangered, and that full satisfaction might be awarded to the rights of the Crown and to the interests of the nation. Reverting back to this precedent, and looking forward to a lamented event, which it would cost them some sorrow to contemplate, even as a contingency, but to which they must approach with that sedate and reflective grief which should teach them not to mourn and remain inactive, but to deliberate and to act;—reverting back, he said, to what had happened, and looking forward to what might happen, he asked, whether he was preposterous in supposing that the councillors who advised George 3rd, in 1765, to make to the Parliament the communication which he had just read to the House, would have advised his present Majesty, had they been now alive, to pursue a similar manly and dignified course? He was certain that the kingly feelings of George 3rd were not alien from the bosom of any Prince of his august House. He was certain that no son of that venerated Monarch would be wanting in courage to face the consideration of the lamentable event to which he was compelled to allude, or in that moral firmness which would enable him calmly to contemplate the progress of Parliament, in completing the various details of any measure which it might think necessary to provide against that melancholy contingency. There would, in his opinion, have been a peculiar grace and propriety, had such a measure been announced to Parliament on this occasion by his Majesty's professional advisers. They would have done well in counselling their august master, that he ought on the moment of celebrating the obsequies of his illustrious predecessor, to imitate the example of his Royal father; to look forward, like him, to the termination of his own reign and life, and to provide for the exigency in which it must inevitably place the country. Nothing could, in his opinion, be more proper than such a course. He conceived that royalty was exhibited in an amiable point of view when kings thus met their subjects on the low, but sacred ground of their common mortality, and led them on their way to provide for an exigency, which must be looked upon as a misfortune, but from which no situation, either high or low, could exempt man. He had now considered the general aspect of these precedents, and had drawn from it that general inference which he conceived to be at once rational and just. There were circumstances in the case of George 3rd, a young Monarch with three sons, which rendered it a weaker case as far as exigency, and therefore a stronger case as far as precedent, was concerned, than the case of George 2nd. He should not be performing his duty properly if he did not look fairly at the difficulties against which he called upon the house to join him in guarding. In doing so, he was obliged once more to say—and the good feeling of the House, he was sure, would approve him in saying—that this subject presented points of discussion from which he should abstain entirely; that it presented others, which, from delicacy to the Royal House, ought not to be discussed beyond what was absolutely necessary; and that though he might allude to them with sufficient distinctness for his argument, he should sketch them out with all the faintness which the topic would endure. He therefore implored the House, when he passed slightly over those topics, not to judge of the value which he attached to them from the quantity of notice which he might bestow upon them, but to judge of them by the real weight which they intrinsically possessed. In the event of the lamented demise of the Crown, after the present Parliament should be dissolved, and before the writs of the new Parliament should be returned,—in that event the country must look to the happening of one of two contingencies—either when the demise of the Crown might take place, the deceased Sovereign would leave behind him an infant of tender age, or it might even be a posthumous child, or that the succession would fall upon an amiable Princess, the niece of his present Majesty. The first of these two contingencies he felt himself authorised to pass over in silence, or, at least, not to make more than a transient allusion to the difficulties which would then arise. One difficulty, however, he must call upon the House to notice. If they would refer to the Statute of the 6th of Queen Anne, they would find that it ordained certain proceedings to be had, and certain solemnities to be celebrated, on the death of the Queen and her successors. It was well known to them all, by recent experience, that that Statute enjoined the Privy Council to assemble; and further, that it ordered them, upon pain of suffering all the penalties of high treason, to proclaim as Sovereign the person next in succession to the Crown, according to the limitations of the Act of Settlement. He was not aware that that Act was to be construed as requiring the same ceremonies to be used in each succeeding reign as were used on the accession of the House of Hanover: yet that Act, in enjoining the performance of such ceremonies as were usual at the proclamation of former kings, must be understood as sanctioning all the ceremonies which had been performed as of immemorial usage. He would now put to the consideration of the House this difficulty; suppose that in case of a demise of the Crown, the nation was expecting a posthumous issue,—the Privy Council were ordered to assemble and proclaim the Sovereign,—whom would they have to proclaim? They must preface their proclamation by taking the Oath of Allegiance. To whom must they take it? The proclamation must be continued by succession from them throughout the whole kingdom. Whom were they to order to be proclaimed? By the same Act of Parliament, the subsisting Ministers of the Crown were to be continued for six months in their respective places, unless discharged by the succeeding Monarch. Whose ministers would they be? and by whom would they be discharged, if discharged at all? The present Parliament, in case no other were in existence, would have to assemble again to provide for this crisis. It is assembled: but its proceedings must be opened either by a Speech from the Throne, or by a commission emanating from the King. Who could deliver that Speech? Whence could that commission emanate? The first act which every Member would have to perform would be, to take the Oath of Allegiance to the new Monarch. To whom must they swear it? A bill must be brought into Parliament to provide against the existing emergency. From whom is that bill to receive the Royal assent? What would be the state of the King's subjects at home and abroad? Whose subjects, indeed, would the people be? and against whom, in such a case, would they be guilty of high treason? These questions, which he could multiply to a great extent, he placed before the House for the purpose of showing the gross improvidence of which it would be guilty in not providing a solution for them before they actually occurred in practice. He could imagine—but he would rather not—an eclipse of royalty, which would shroud the whole country in gloom. Suppose, however, that some foreign news of importance should arrive; suppose that some casualty should happen at home; suppose, and he meant no disrespect in making the supposition, but—suppose that the illustrious head of the present Administration should be taken away from it by death,—who, in that case, would have a right to nominate his successor? It was impossible for any prudent man to treat these as mere hypothetical cases, conjured up to confound the unwary and to alarm the timid; and that for this simple reason,—that when the first event happened, all the rest must happen as matter of course. He had mentioned these points in order to call the attention of Parliament to a consideration of the difficulties which would arise in proclaiming a successor: but there was a great class of difficulties still behind, of much higher importance. He would not, however, mention them at present, but would reserve them for notice when he brought under discussion the consequences which would follow on the second of the two contingencies which he had described. That contingency was the demise of the Crown, and the falling of the succession on the niece of his Majesty, who, though not an infant, was still a child of very tender years. Then would arise the question—difficult indeed before, but still more difficult in that crisis—as to who should be Regent. Were they to adopt the doctrine held by Mr. Fox and Lord Loughborough in the unfortunate emergency of 1788, that the next heir in blood has as strict, as paramount, and as indefeasible a right to the Regency as he would, in case of the then Sovereign's dying, have to the Throne? or were they to adopt the doctrine held by Mr. Pitt and Lord Eldon, that however august the name of the heir-apparent might be, he had no more right to the Regency than any other subject in the kingdom? Take either supposition you please, as to the party claiming the Regency being either heir-apparent or heir-presumptive, and Mr. Pitt thought that it made all the difference in the world, whether the party was heir-apparent or only heir-presumptive,—must we say, that as heir-presumptive the party is entitled to the Regency, or that, as the claim of the heir-apparent is defeasible, he must not succeed to it as of right? Let them decide that question as they might, how would they apply their decision when the heir presumptive, having become, by the death of the reigning Sovereign, King of another country, stood before them in the capacity of an alien King? Were they to say, that because the presumptive heir though an alien King, would on the death of the infant Sovereign succeed as of right to the English Throne, his possession of a foreign throne would form no obstacle to his being Regent here? Were they to set aside all the presumptive heirs to that foreign throne as unqualified for the situation of Regent? and were they to look for some individual members of the Royal House who were not in the course of succession to that foreign throne—a consideration which would confine the Regency to the illustrious Princesses, the sisters of his Majesty? Or were they to let in the question which member of the Royal House was fittest for the Regency, without considering at all what title they had to the succession? These were questions, all of which must be decided on the occurrence of this second contingency. He was surprised that any set of men could, in speaking of this subject, treat it as one of no difficulty. He presumed to press it upon the House—not because it was an easy, but because it was a difficult subject. He wished the House to consider the difficulties of it now, rather than when they had become aggravated in another Parliament. Even these difficulties, which he had offered as a sample, were not all, nor even the chief difficulties with which they would have to contend. The whole question was still behind, whether they would have a sole Regent or a Council of Regency; and never would he disguise it, either from himself or the House, that that was a question of great difficulty. The House would see that from many delicate considerations he had entirely abstained; but if any of the questions which he had mooted should arise, that abstinence would be impossible; for they would be forced upon public attention, in spite of any wish which they might individually have to prevent it. If the House would only recollect the complaints made in the year 1788, that all the private details of the King's situation were hawked about the streets, and placarded on the walls, they would pause before they declined taking this matter into present consideration. It might be said that these were difficult questions to be taken into consideration at this period of the Session, and that it was hard that Members of Parliament should be kept there in these discussions, whilst their more fortunate rivals were paying court to the constituent body. But if it were to be considered as a mere question of convenience, the inconvenience which would arise from taking the discussion now would not bear comparison, even for a moment, with a tenth part of the inconveniences which would attend the actual occurrence of either of the contingencies which he had mentioned. Was it possible, then, on the ground of convenience, to adopt the course recommended by the Ministry, weighed, as it ought to be, against all the inconveniences and disadvantages which might attend the agitation of the question at this time, when circumstances rendered the appointment of a Regency absolutely necessary? If they neglected their duty now, the whole country would be justified at a future period in casting on them the blame of the difficulties that might then arise. What were the objections urged to the course he now recommended? He believed that, if carefully examined, they would all be found to consist in underrating the probability of the occurrence of such a necessity; in undervaluing the importance of providing against it; and in despising the difficulties to which, if it occurred, it must inevitably give rise. He wished those who underrated the difficulty of dealing with such an emergency to consider for one moment the probability of its occurrence. The event to which he must refer, and to which he declared he did refer with none but the most painful feelings, was one which they must expect. Was it possible for them, in their experience of the common course of human events, to infer from the present health of the King that his stedfast appearance would always continue? Could they put out of the question the evils and dangers to which all mortals were subjected? Could they forget—was it possible that Parliament should forget—the instances of casualties which they had witnessed among them, or the circumstances of apparent strength and health which had preceded them? What had been the case with the late Lord Liverpool? In the midst of his administration of the affairs of this country he was unexpectedly carried off, and left Parliament deliberating on a most important question—namely, on that which related to a grant to a part of the family now on the Throne. Could they forget that on one day that noble Lord had appeared as if his life were likely to endure to the length of any one who was of the same, or nearly the same age with himself, and that within three days afterwards he was struck with that fatal apoplexy which on the instant deprived him of the full use of his mental and bodily powers, and shortly afterwards utterly incapacitated him for the performance of his Ministerial duties? Could they fail to recollect Mr. Canning—his eloquent efforts received with such acceptance in that House—pursued with such vigour, and attended with such success? He recollected hearing a Member observe, "I could say to Mr. Canning, as the Spartan said to the father whose sons had been victorious in the Olympic games, 'Now die, for thou canst not be a God!'" and within one month Mr. Canning was taken ill, and in one fortnight more he had followed that eloquent orator and illustrious Statesman as a mourner to the grave. These were events of which none could be ignorant, which all must remember, and which yet the Government wished them to forget, or to treat as forgotten. In the family which now filled the Throne similar events had occurred. Within ten years George 3rd and his immediate successor had died, and immediately before the death of the former, a Prince of the Blood Royal was taken ill—a Prince who, if now living, would have been the heir-presumptive to the Crown, and within a short time of the commencement of his illness he died, and yet that Prince, immediately before that melancholy event, had been in the enjoyment of perfect health, and had no reason to anticipate even the approach of disease. The Sovereign, too, who had lately filled the Throne, had been in like manner subjected to the attacks of illness nearly at the same time, and but for the almost miraculous vigour of his constitution, and the bold and decisive course adopted by his medical attendants, could not have escaped a similar fate. Indeed, had it not been for those bold measures, there might have been three members of the Royal family all at one time unburied. Might not that, which they were afraid would have happened, actually take place? It might indeed be said, that 1,000 years had occurred without our history affording us a single case in which the Crown had descended upon a posthumous child. But if they were arguing probabilities, it should be considered, on the other hand, how seldom a British Monarch had died in that time leaving a Queen without issue. It had occurred only twice since the Conquest; once in the case of the Queen of Charles 2nd, and again in the case of that of Richard 1st. Besides, there was an instance in a neighbouring country, where the crown was now in direct course of descent to a posthumous child—he meant the Duke of Bourdeaux. Was it then too much to say, that what had happened elsewhere might happen here; and was it too much to call on Parliament to provide, as far as Parliament could provide, against such a contingency? Were they to say that these things were out of the course of nature, and would not again occur; and were they to content themselves with the chance of seeing a posthumous Prince—instead of performing the important duty of appointing a Regency? There was, indeed, one precedent of a similar delay in appointing a Regency, and that occurred in the reign of George 3rd, who suffered four years to elapse without attempting to provide for such an event; and because he had delayed so long in proposing a Regency, it seemed they were now to be called on to delay the same important business for six months. What, was it because George 3rd had come down to Parliament on occasion of a sudden indisposition, and had accused himself of being guilty of a culpable omission in not coming to them before, to advise and concur with him in such a measure, that they were to act in the same manner as that for which his Majesty had then blamed himself? Were they to copy the example, not as a warning, but as a precedent? Were they to imitate, not the expression of regret for the error, but the error itself? As well might those who atoned for past misconduct at the hour of a death-bed repentance, be cited as examples—not of the benefit of a repentance, however late and tardy, but of the wisdom and propriety of continuing in misconduct till that hour should arrive. Yet who was there that would not loudly protest against such a doctrine? Who was there that would not admit the propriety of the example of repentance, but that would not, at the same time, condemn the strict imitation of the man who, till the last and latest moment of life, had persevered in a course of misconduct? These were, however, the sort of arguments employed on this serious and important question, to underrate the necessity for the consideration of that subject it was his intention to submit, and to induce them to believe, that those things which, in their own experience, they knew to be daily happening, were not again likely to happen until this Parliament had been dissolved, and another had been elected, and taken on itself the performance of its legislative functions. The opponents of his Motion said, in fact "There are no such difficulties as you predicate; things will go on much more smoothly than you imagine; even in the case you suppose, Parliament might meet again and provide for the emergency; but in the other case they would be certain to meet before that emergency could occur." He called on the House to beware how they adopted the course recommended by such a line of argument. A Princess only two days old was, in the eye of the law, no minor if she became the Sovereign; and at that early period of her existence the law supposed her capable of performing the duties of one. Against such a contingency he called on the Parliament to provide; but the Government, on the other hand, urged them to reverse the order of things, saying, that the difficulties of the subject were great now, but yet, affecting to suppose that those difficulties would not exist when the circumstances out of which they naturally arose had actually happened, and had come on them when they were, as they must be, totally unprepared. Let the House consider the proposal he made, and the difficulties that would arise if it were neglected. If there were no person, or a minor, at the head of the Government, the Parliament would become, in fact, a Convention Parliament, as strictly so as were those who met without the authority of the King, to confer the right to the English Throne upon a foreign Prince. Were they to neglect a duty in order that they might, in effect, call a Convention Parliament? Were they to say that the two Houses might meet a case of necessity as a Convention Parliament, and give the same effect to their Acts as if they were actually a Parliament? Were they, he asked, to resort to this means for carrying on the public business; or was it not rather an evil and a calamity to be reduced to such a course, scarcely less objectionable and less to be avoided than that which it was intended to remedy? In his opinion it was deplorable to be reduced to such a shifting expedient. When they had reduced themselves, by their own act, to the necessity of calling a Convention Parliament, they would impose on that Parliament the necessity of doing acts which would show they were not a Parliament. They must acknowledge that they could not act without the authority of the Throne, and they must proceed to fill the Throne in order to enable them to give weight and authority to their measures. Nothing but the necessity which the law itself created—nothing but the emergency by which all laws would be, for the moment, suspended, and even all constitutional maxims lose their power—nothing, he said, but all these considerations could authorise them in resorting to such an anomalous course. He thought that the object which Parliament wished to ensure by constituting a Regency was the prevention of any act of royalty being performed by an infant; and yet the very first thing which the infant Sovereign, under this arrangement, would be called upon to do, would be to pass a measure suspending for a time his own constitutional existence. Lord Mansfield, in 1751, expressed himself as follows, in the debate on the Regency bill—"From the whole of this debate, I find Gentlemen do not enough consider, that the necessity of such a bill as this proceeds from a most glaring, and, indeed, tremendous defect in our Constitution; for, with respect to the Sovereign, the law acknowledges no such thing as a minority. A child of two or three days old may, by our Constitution, come to be our King or Queen; and the moment the father dies, that child is by law invested with the whole sovereign or executive power of the Government: so that whoever gets possession of the person of that child, whether by fair or forcible means, becomes of course possessed of the government, and all the prerogatives belonging to the Sovereign." How different was the state of opinion in 1751 and 1830! At the former period, a great lawyer was of opinion, that the defect he had pointed out was a reason for introducing a Regency bill, whilst, in 1830, another great lawyer cited the same defect as a reason for not introducing a similar measure. There existed the possibility of two evils occurring; namely, the meeting of Parliament in the manner of a convention, without a Sovereign, or the having of a Sovereign without his being capable of executing the duties of his office. A Convention Parliament had already said, that they were inadequate to do the acts of a Parliament, and then were guilty of the great inconsistency of doing that most important of all acts, the appointing of a King. On the other hand, there was this equally gross inconsistency, that the infant Sovereign, on the ground that she was incapable of performing any act of government, proceeded to perform that most important act, the appointment of a Ministry, and the creation of a government, to act without that power which called it into existence. In the time of Henry 6th a law, not exactly in the shape of an Act of Parliament, but in that of an edict or proclamation, which in those days had the same effect, was issued, and contained these words:—"The King, considering his tender age, and his inability to concur with the Estates of this realm in the Government thereof, hath appointed the Duke of Bedford and the Duke of Gloucester to act as Protectors of the Realm and Governors of his Council;" and the King who made that appointment, on account of his tender age, showed a true sense of the exigency of his situation, for he was at that time just ten months and a half old. What would the people say if Parliament, with their eyes open, rushed into such a difficulty, and having the opportunity of avoiding it, allowed it to overtake them, and then tried to take refuge from its consequences in this anomalous remedy? What would they say of Parliament, if, with the means of taking a choice of occasions, it resorted to a remedy scarcely a shade less an evil than that which it was adopted to remedy? He apologized for having so long troubled the House, but the difficulty and delicacy of this question had forced him to go somewhat into detail. He had stated the facts, and he now called on them to guard themselves from being misled by those precedents which might be cited, and from the references that might be drawn from them, and seriously to employ themselves in the strict investigation of the merits of this case. Whatever might be the blame attempted to be thrown on the House of Commons, for not getting through the public business of the Sessions, he thought it would all be forgiven, if, casting aside all considerations of petty convenience, they applied themselves in good earnest to the consideration of this great and important public measure. If the measure should prove to have been adopted without the occurrence of that sad necessity, which in his argument he had been obliged to anticipate, they would then have the honour of having performed their duty, of having vindicated the character of Parliament, and of having set a precedent which in future times might ensure the safety of the country. They would have given an example of alacrity and energy in providing for difficulties which, if suffered to occur unprovided for, would have lowered the Parliament in the eyes of the country. If they did not pursue this course, and those difficulties should occur, they would then feel that they had been guilty of a great and culpable neglect of duty. They would not, in that case, have performed their duty to themselves—they would not have discharged their duty to their constituents, to whom they were just about to render up their trust—they would not have performed their duty to that Monarch, or to that Monarchy, for the preservation of whose constitutional rights they exercised their legislative functions; in short, they would not have performed their duty to their country, or to mankind, or to that great Being whom they ventured to ask, at every time of their meeting together, to bestow on them grace to act for the advantage of their country, and to prosper their councils for its welfare—a prayer which certainly they could not be said to follow out if they neglected this opportunity of adopting a measure called for by a regard to the honour of the Sovereign, for whom they entertained an anxious regard, and for the safety of the country, whose welfare required at their hands the faithful discharge of this first and most important duty. The hon. and learned Member concluded by moving, "That an humble Address be presented to his Majesty, assuring his Majesty that, deeply affected by the gracious declaration made by his Majesty on his accession to the Throne, of his Majesty's attachment to the Constitution of these realms, we, his Majesty's faithful Commons, should not be doing our humble duty to his Majesty, if, amidst our general feelings of gratitude, mingled with our ardent prayers for the prolonged duration of a reign so auspiciously commenced, we omitted to make known to his Majesty the anxiety felt by his Majesty's loyal subjects at the possibility of a misfortune which might deprive them of the blessings of his Majesty's paternal reign, and in its consequences endanger the best interests of the Empire, that we are induced to lay the expression of this anxiety at the foot of the Throne, from the deep attachment which we feel to his Majesty, and his Majesty's august family, and from the conviction which we entertain that the safety of the State, and the stability of our institutions, essentially depend on the unimpaired exercise of the powers vested in the Crown as the first of the three Estates composing the Constitution of this limited Monarchy. That under the impression of these sentiments we approach his Majesty with the dutiful assurance of our readiness to take into immediate consideration any measure which, in his Majesty's Royal solicitude for the happiness of his people, his Majesty might be graciously pleased to recommend, in order to guard against the possible hazard of those evils which cannot but be apprehended from the demise of the Crown under the present circumstances of the succession."

The *Solicitor General* said, he should oppose the Motion. It was founded on the contemplation of an event that could not happen without casting a shade of sorrow over the whole country. It would be his attempt to show that this question had been introduced without that paramount necessity which could alone justify its being brought forward. The hon. and learned Member had stated, that if they looked at the difficulties of this subject now, they would see that those difficulties were of a nature that would increase fourfold if the consideration of them were postponed. It should be his business to show that no such consequences would follow from its short postponement. It might not be out of place for him to refer a little to what was the constitutional law upon this subject. Our ancestors, who, in remote times, had much more experience of infant kings than we had in modern times, had never thought of providing for such an event before it happened. "When the natural body met, as it must, (so Lord Coke said) the body politic, the smaller body, that is, the body natural merged in the larger body, that is, the body politic, and though the body natural might be an infant, yet the effect of the body politic upon it was to change its condition, and there was no minority at all." The fact was, that the Sovereign, however young, was competent to do all acts of Royal authority, and in every document from the time of Henry 6th, in assistance of whom the Lords Spiritual and Temporal, on account of the want of capacity of the infant king, were formed into a council, his authority was acknowledged; and with reference to his kingly capacity, he was the same as if he had been in his majority. It appeared, therefore, that with all the difficulties which had been so much talked of, it had been thought more prudent to leave the constitutional law to provide for the case, than to attempt to prevent the evil by an anticipatory measure. If it were not so, how happened it that up to this moment no one general measure had ever been introduced into Parliament? How happened it that Lord Mansfield, whose opinion, as expressed in 1751, had been quoted to them, had never thought of meeting the tremendous evils of a minor king by any general law relating to a Regency? How was it that that noble Lord had not even attempted to remove from the laws of England the tremendous evil he was represented in the debate to have pointed out? That great lawyer must have been convinced of the impossibility of making any general law that would have applied to every individual case. The law, therefore, was left to be provided in every case in which circumstances might occur to call for it. It was but recently that Parliament had thus been called on to provide for an emergency not before expected. Within a few days since, Parliament had provided a measure against the difficulty arising from the physical impossibility of the late King affixing his signature to public documents, and the measure had not been attended with any great difficulties. In the same manner, whenever the event now spoken of might arise, Parliament would be ready to provide for it. The common law did not provide against physical difficulties of that sort on the part of the Sovereign, but supposed him always competent to do those acts the right to perform which was vested in him. Whether they looked to cases in which the infant had not had time to acquire the capacity of acting for himself, or to those in which from illness, or extreme old age, that capacity had passed away, they would see that in neither the one nor the other had any provision been made by the Constitution of the country. He thought that in the present, as in other instances, it would be most wise to leave the settlement of this matter to the constitutional law of the kingdom, whenever circumstances should arise to call for its interference. The want of any general law, as he had before observed, had arisen from the circumstance, that every man had found it impossible to make a law that would adapt itself to all cases; and people had, therefore, thought it better to leave the matter to Parliament whenever the case should happen to arise. He made that observation with reference to the point which the hon. and learned Gentleman had so much relied on. The great force of the hon. and learned Gentleman's argument rested on the possibility of an invisible child, which might succeed to the Throne. That case had not been contemplated for the first time this night, and yet, in all times, it had been passed over without any one pretending to create a general remedy for the evil. The case supposed had not, indeed, occurred in this country; but it had happened in a neighbouring kingdom, and yet no mischief even there, and in the early times in which it did occur, had followed from it. St. Louis had died, leaving a pregnant Queen; the child was born, the Royal name was conferred on it, and it died within a short period afterwards. As far, therefore, as a precedent did exist, it was against the presumed necessity for this Motion. He could, indeed, imagine that providing a Regency beforehand might increase the difficulties of the case, instead of diminishing them. In the first place, he would ask whether they would run a race against death—whether they thought no risk was to be encountered in life—whether nothing was to be left to chance—and whether it was possible for them to go into the Royal house of mourning—into the Palace of the Sovereign—and while he was lamenting the death of his beloved brother, they could state to him that the House of Commons anticipated his own demise, and therefore called on him to concur in a measure, which every man must feel, nothing but a present necessity could justify? They were not discussing whether the subject ought not to be considered at a fit opportunity, but whether that was the moment in which to present his Majesty with an affectionate and humble Address on such a subject, and to tell him that they expected his demise, and that he ought to consider and prepare for it. If they believed that the appointment of a Regency would entirely disembarrass the country from all difficulties, they were mistaken. The Regent himself might not survive. It was a contingency whether he would or not. In a few weeks he might prove to them that the provision they had made was useless. It was only the balance of one life against another. But was there no other danger—might there not be another Court, and might not other interests be excited? Were all the benefits on one side, and were there no drawbacks on the other? The question would arise—who was to be the Regent, and what were to be his powers? From the attention he had paid to the former debate, he did not find that any two Gentlemen had agreed on these questions. Some were for an unrestricted Regency, others for a Regent with a Council. He had understood, too, that one hon. and learned Member had declared that the heir-presumptive had an undoubted right to succeed to the Regency, and that so Mr. Pitt had considered it.

Mr. *Brougham* said, his statement was, like that of Mr. Pitt's, that the heir presumptive possessed not a right but a paramount claim.

The *Solicitor General* continued: Mr. Pitt had never so considered it. In that part of the debate Mr. Pitt had only said, that the claim of the Prince of Wales was one which was deserving of serious consideration; but he denied that, in any part of the debate, Mr. Pitt had ever treated it as a claim that he admitted directly or indirectly, to be unanswerable. Mr. Pitt had only put it on the ground of expediency, whilst Mr. Fox, (he must say with every respect for that great man's talents) had put forward the most extravagant doctrine that had ever been promulgated on that subject, either in or out of the House. [Some symptoms of dissent were here manifested by the Opposition, and some rather loud denials were uttered.] He could not avoid hearing those observations but he hoped the hon. Members opposite would have the courtesy to allow him to express his sentiments. He must repeat, that a more mischievous doctrine, and one less justified by the principles of the Constitution, he had never heard, in or out of

Parliament, than that which treated the Prince of Wales as having a vested right to the Regency. Mr. Fox afterwards changed his ground, and said, that the right existed, but must be adjudicated upon by the two Houses of Parliament. Mr. Pitt met that claim of right, and denied it as a constitutional doctrine, and said that the Prince of Wales had no more right (whatever might be the case with regard to expediency) than had the meanest subject in those walls to the Regency. There was one other question. He asked the House whether in its present tone and temper it was fit for the discussion of this question? Where, too, were the Members who had left town on the Address being agreed to? Were they, whose paramount duty it was to remain, or those who had felt it convenient to do so—were they alone to decide this question? A time more inopportune never had presented itself. There were but a few precedents of even similar cases. They were in the reigns of Henry 3rd, Edward 3rd, Richard 2nd, Henry 6th, and Edward 5th. In the first four a provision had been made by Parliament after the Crown had descended on a minor, and the last was hardly a precedent, on account of the particular circumstances of the usurpation that attended it. Our Constitution was so utterly and completely blended in all its parts, its spring and energy were so great, that it would save us from all anticipated difficulties. There were but few precedents at all relating to this case, and that circumstance, which had been urged as an argument for conceding this Motion, was rather a reason why the House should avoid being guilty of any hasty legislation. The statute of William 3rd, which provided for the assembling or re-assembling of Parliament on the demise of the Crown, provided against any dangers whatever, and would enable that House itself to prevent any serious inconveniences arising from such an event. Suppose an infant Sovereign did succeed to the Throne, that infant might do many things; and among others, it might dismiss the Ministers found in possession of authority; but before it dissolved the Parliament, another Ministry must be appointed, and then the dissolution of Parliament would be directed on the responsibility of that Ministry. Was there any man who gave credit to the existence of serious difficulties, or who believed that any bold aspiring individual might get possession of the Royal infant's person, and engross all authority to himself? Before he could do this, he must annihilate the two Houses of Parliament, and must destroy the loyalty of the people; for the Royal infant would be cradled in the arms of the people, and in their hearts would find a sanctuary and refuge from every possible calamity. The child in the womb was a living being in the eye of the law, and nobody doubted that it could be the Sovereign of these realms. There might possibly appear something ridiculous in these statements, but they were necessary to the full understanding of the question. Beyond all doubt such an infant would be the Sovereign of these realms. The statute of the 6th of Anne provided for the difficulties of which his hon. and learned friend had spoken, and declared how, on the demise of one Sovereign, the other should be ascertained and declared. His hon. and learned friend had asked, who was the Sovereign? and if treason was committed, against whom was it committed? But how singular it was, that with all these difficulties, which had always existed—as much at the time of passing the Act as at this moment—with a married Queen upon the Throne, and with the probability of issue, that Parliament did not think of providing a remedy. Mind, capacity, and physical power were wanted for the Acts to which he was alluding, and the difficulty was, therefore, just as great with a child of a month old, as with a child not yet born; and yet the statute of Anne in no way met the difficulties. Then, as to the second branch of the case of his learned friend—for he had dwelt quite as much upon the second alternative as upon the first—by the Act of Anne, a Regency was expressly named—the attention of Parliament was called to the appointment of a successor, and yet no Regency was provided against the minority of the issue of the Queen. The Regency was named in case the Queen herself should die without issue, and yet she was not of an age to render it unlikely that she should have children. Having glanced at these early precedents, he came next to consider whether his hon. and learned friend was right in the mode of proceeding he proposed. The two instances on record were those of 1751 and 1765, in the one of which there was a message from the Crown, and in the other the King himself came down in person to

Parliament: the attention of both Houses was therefore directed to the subject from the Throne itself; and he could show from occurrences of a late date in history, that in cases of greater difficulty than now prevailed, no Parliament had called upon the Monarch to provide for such a contingency, much less in open defiance of a previous vote of the two Houses. The precedents, in fact, were all one way; in the case of James 1st no person had ever dreamt of providing a Regency; yet upon his accession to the Throne he was the father of boys of a tender age. He travelled through a long reign without any body, certainly not Parliament, ever requiring him to provide against these supposed and imminent dangers. He said nothing of the reign of Charles 1st, in consequence of the state of the country and the prevailing discordance between the Court and the Parliament; but the case of Queen Anne, he submitted, was much stronger than that now before the House, and a Regency to govern the kingdom during the possible minority of her issue, had never been provided. His hon. and learned friend had dwelt more particularly upon the events of the years 1751 and 1765; but an examination of the facts, as regarded the first of those periods, he apprehended would not support the argument of which they were brought in aid. The question then arose upon the more modern precedents; whether they warranted, at this early period after one demise of the Crown, an Address to the foot of the Throne, requiring it to make provision for another similar contingency. Looking at the circumstances of the year 1751, he was astonished that it should be deemed a parallel case; in 1751, there was something like a disputed succession; in 1751, the country had just escaped from a rebellion; in 1751, the Monarch had been long seated on the Throne, and he was himself advanced in years. At that date, consequently, there were many reasons why a Protestant king should endeavour to preserve a Protestant line of succession to the Throne; and it might be expected, that on the Message to Parliament, he would speak of that necessity. At this moment, he begged to ask, if the Protestant line was in danger? He believed that no man entertained such an opinion. Looking to the facts, the House would see that in 1751, Parliament did not go to the foot of the Throne, and tell the king, "You have reigned a long while—the Protestant succession is in danger; it is probable that you will die in a short time, and therefore you must provide against that danger." But the Prince of Wales having died on the 26th March, 1751, the king sent a Message to the two Houses on the 26th April, and the Bill was passed, he believed, on the 15th May. In that instance there was no indecorous haste, but at this time scarcely a week was to be allowed to elapse— for his hon. and learned friend thought that the Regency ought to have been pressed even on the former occasion—before even the funeral of the late King. On an imaginary case, and a supposed exigency, Parliament was to rush to the foot of the Throne, and to require the nomination of a Regency. He did not mean to argue that, in the due season, some provision of the kind ought not to be made; but he contended that the present was not that due season; and in 1751, six weeks were allowed to transpire before any thing was done. But the case on which his hon. and learned friend seemed most to rely, that which he made his sheet-anchor in this wild voyage of discovery, was the precedent of 1765? And how did that case stand? Although the Monarch had been afflicted with illness, it never occurred to Parliament to send an Address to the foot of the Throne to desire the Monarch to provide against an impending calamity. On the birth of our late Sovereign, had anybody thought of providing for the possibility of such a case? Did not the King himself allow several Sessions to pass after the birth of his first child, before he sent a message to Parliament? The late King was born in 1762, and it was not until 1765 that a Message was sent to Parliament. Where then was the precedent to justify the House in the course now recommended? He could find none. That such a Resolution as he proposed had never been agreed to was beyond all question. But it would put the matter in a stronger light to examine the provisions of the Act of 1765. His hon. and learned friend would, of course, be content to be bound by the precedent he had himself cited, and on which he so much relied; and what was done on that occasion? The whole that was done was to leave it to the uncontrolled power of the King himself to appoint whom he chose to be Regent, only pointing out a particular line. Suppose George 3rd had never exercised the power thus intrusted to him, what would have been the situation of the country? On the demise of the Crown there would have been no Regent. The facts, therefore, did not bear out his hon. and learned friend, at least to the extent he supposed; and if precedents were to govern, there was nothing in history to warrant the step now recommended. He did not mean to argue that danger might not be so imminent, and motives arising from that danger so powerful, as to call upon Parliament to disregard all precedent, but he argued that no such danger, and no such motives existed here, and that there was no specialty that could not be found in all other cases where nothing of the kind had been attempted. There was no instance upon record where the Queen Mother had been Regent, excepting upon usurpation. Here there was a double difficulty, for, as he apprehended, it would be impossible to provide against the case of the heir-presumptive without providing also for the case of the heir-apparent. What might be a very proper appointment of a Regent in the one case, might not be a proper appointment in the other; hence the difficulties to be coped with were greater, and yet the House was called upon to arrive at a decision on a sudden. He deprecated very much the discussion of abstract principles upon this question, and in any future discussion he should hold himself at full liberty, when the provisions were brought forward, to take whatever course appeared to him expedient. He was not now considering who was to be Regent, or upon what terms—he only touched those points incidentally while arguing the only material question now at issue—whether this was the proper time for adopting the proposed Motion. The situation of the Royal Family required no such haste. There was a Royal Mother, out of whose custody the heir-presumptive was not to be taken, and no danger was to be apprehended that could not be duly provided for in the next Parliament. As to the other case of posthumous issue, the character of the Queen Consort was a perfect guarantee, that no difficulty could arise in that quarter. As men of the world, the Members of the House must look at circumstances—they must balance the difficulties, and then exercise a sound and sober judgment. As men of the world, then, he asked them where was danger, and from whence was it to arise? The Constitution sufficiently provided for any events that were likely to occur, and in the meantime, nothing should be done without deliberate consideration. It was impossible for the House, on a question of this sort, not to advert to what had been already done. The majority must bind the minority, and the former decision must be considered the general sense of the House, and if ever there was an instance in which it would be injudicious to retrace steps already taken, it was that now before the House. After a gracious Message had been received from the King, an answer had been carried to the foot of the Throne, re-echoing the sentiments of the Message, and declaring that it was not the intention of Parliament to proceed to the discussion of this subject. This very day an answer to the Address had been received at the bar, merely pointing out the desire of the Sovereign to terminate the Session without addressing himself to this or to any other question. In what situation then would the Monarch and the country be placed, if the Address to the Throne now moved were to be adopted? What would it be, but to tell the King, "We came to a hasty decision a few nights ago—we have revised our proceedings, and we now come to tell you, that the danger is such and so pressing, that it is absolutely necessary that we should proceed to the discussion of the Regency without a moment's delay." Such would be a most inauspicious commencement of a new reign, and not be that kind of loyal and affectionate proceeding with which the House of Commons would be desirous of hailing the accession of a new Sovereign. The difficulties also of the present position of the House could not be overlooked. How was it possible, in the present state of public business, and with the approaching elections (for it was of no use not to speak out), to enter properly into considerations of such a subject. He might reasonably envy Members who, from whatever cause, confident of being returned, had no occasion to look after their constituents. He was in no such happy condition—he should be obliged to go down among his electors, and he believed that not a few others were in a similar, he hoped none were in a worse situation. He should lament, not indeed for any assistance he could afford, that this great question should be discussed and decided in his absence. If the subject were commenced, it would be almost interminable — at least no one could foresee its conclusion, and it would have to be considered at a time when the few who could attend would be unable to debate it calmly, or to decide deliberately, to the satisfaction either of the Crown or of the people. Was nothing due, also, he would ask, to the feelings of the illustrious individual who filled the Throne? Approaching him with the Address now moved would be to call upon him to consider not only the possibility but the probability of his own demise. Having just succeeded to the Crown, his Royal brother yet unburied, his own affairs yet unsettled, and before he had had an opportunity of consulting the wishes of his Queen, or the views of any member of the family, was it fit to demand of him his immediate consideration and decision of such a subject? With the near prospect of a dissolution of Parliament, which had been promised by the Crown, was it decorous to rush to the foot of the Throne, and to tell the King, "Haste! we acceded to your wishes, but we repent that we did so—time presses—we cannot delay; and, yet, we are waiting for a measure to settle the Regency." On the other hand, by postponing the question, what had the country to fear? An event might happen, and it was not necessary for his hon. and learned friend to quote precedents and cases to show the uncertainty of human life; all that lived must die, and no man could say when; but that was no sufficient reason for proceeding with indecorous and injurious speed. It did not follow, because all mankind must die once, that everything must be done at once. Moral, and not mathematical, certainty was all that could be acted upon in such matters, and in this particular case the advantage of delay was obvious: the decision would be more mature—better calculated to support the dignity of the Crown, and to preserve the rights of the people. After what had passed, it would amount to a breach of that affectionate regard due to the Sovereign, if the House consented to recall and contradict its former vote; but in so saying he meant not the slightest accusation against his hon. and learned friend, who, in bringing forward this question, was, no doubt, actuated by as pure feelings as those which impelled him to resist it. He opposed the proposition because he was satisfied that this was not the proper time for considering the question.

Mr. *Macauley* said, that he had listened with much surprise to the speech of the hon. and learned Member who had just resumed his seat, in which he seemed so much to have consulted the feelings of the Monarch as to forget the great, paramount and permanent interests of the people. The hon. and learned Gentleman had spoken of the delicacy due to the new Monarch, and in this sentiment all would sympathize; but in his zeal upon this point he omitted to advert to the circumstance, that delicacy was as much violated by the decision of the previous night, as by the now-proposed Resolution. I cannot but think (continued the hon. Member) that when the right hon. Secretary, on the former night, with great ability and due decorum, opened the subject, he just as much violated the delicacy with which the Crown ought to be environed, as my hon. and learned friend who moved the Address we are now considering. Indeed, it appears to me, that to discuss the question without arriving at any decision, is more indelicate than to debate it with at least the prospect of a determination. We are to recollect that Kings are not like common men—they are placed alone and aloft to be the objects of general regard, and they cannot expect to enjoy that privacy which is the delight and luxury of their subjects. At the very birth of a Sovereign the great Officers of State are present, and the public solemnization of a Royal marriage is in some respects a scene of grossness and indelicacy. The House of Commons addressed Queen Anne, soliciting her to form a new matrimonial alliance at the very moment when her husband was lying dead. Sure I am, to whomever these proceedings may seem indelicate, there is one person in the country to whom they will not appear so; whatever pain might thus be given to a pusillanimous Prince, like James 1st, or Louis 15th, the head of that Illustrious House, which it is our boast to have placed on the Throne of these Kingdoms, will be above such paltry sufferings. The hon. and learned Gentleman attempted to show that in the cases of interference that have happened there had been a suspension of the executive functions, that these extraordinary provisions became necessary, and that no alarming consequences had attended them. I should wish to ask the hon. and learned Gentleman what he conceives to be the end and object of Parliament? The history of our hereditary form of Government does not present us with any certain security for the wisdom or virtue of the Chief Magistrate. The destinies of the community may be intrusted to the feeble hands of infancy; and this and other consequences have afforded ample themes to the satirist and the declaimer. Look, at this moment, at the enormous weight and extent of power confided to the hereditary Monarch, whether an infant or an adult: the population he governs is scarcely less than 120,000,000 of souls, dispersed over the world, from the Mediterranean to the Indian Archipelago—from the extreme North of the Western to the extreme South of the Eastern hemisphere; an authority so vast and so intricate, that perhaps few even of those who have the task of guiding the councils of the Sovereign are fully aware of its extent and bearings. Yet this enormous empire, with all its complicated interests, may be placed under the control of a thoughtless boy or girl. For a child, unable to walk or to express the simplest wish in its mother tongue, the claims of veteran Generals and of accomplished Statesmen are passed by —Senates pay it homage, and by the years of its rule laws are numbered and public Acts are dated. To many this system may appear, if not absurd, unreasonable; and what is the answer? Why in this enlightened age do we resist, and would oppose even with our lives any change of that system? What is the advantage that counterbalances its numerous and admitted evils? It may be designated in one word—certainty. For this, and for this alone, we are content to forego all the advantages that might result from "securing to the realm a succession of Chathams and of Marlboroughs." Under an hereditary government the Royal authority passes without interval from one Royal depository to another, and none can dispute in whom the right to the supreme magistracy resides. If this certainty be of more value than wisdom, virtues, or public services—if it be paramount to every other consideration, then, I ask, what becomes of all the arguments of the hon. and learned Member? He tells us to pause in the appointment of a Regency, and to choose well, rather than to choose soon; but if we follow his advice, we forego the only advantage of our hereditary form of government—its certainty. Not only he, but the Ministers, in their speeches, in effect, assert, that the advantage of hereditary Monarchy is an unimportant advantage, and that the evil of an elective Monarchy is an unimportant evil. We are to run the most fearful risk to which a nation can be exposed—we are to be left in doubt as to the person in whom the supreme power of the State shall reside—we are to incur the danger of a vacant Throne and a disputed succession rather than—what? Rather than that hon. Gentlemen shall stay in London in the dog days, and incur heavier charges for ribbons at an election. Is it the wish of the House that the Monarchy of this country should be elective? I doubt if such be the sentiment of a single Member in it; but why by our measures should we teach the people to wish it? When an extremity of the kind arises, we must face it; but is it the part of wisdom to promote and invite that extremity? Shall we, to use the expression of Burke, teach the people to make that which ought to be their rare repast their daily bread? The Solicitor General has talked much about discussing this subject with temper and calmness; but let him reflect upon the circumstances under which we might be called upon to debate the question of a Regency, should an event contemplated unhappily occur. We have heard of the expense of elections; of the length of the Session; of the lateness of our sittings; and of the refreshing effects of country air. I hope no unforeseen calamity may prevent the enjoyment of it; God forbid there should be any necessity for relinquishing it; and I am sure there is not a subject in the country who will not heartily join in this prayer: but if we reject the Address of my hon. and learned friend, and the contingency contemplated should happen, in what a condition will the nation be placed? If God should avert that calamity against which we refuse to provide, all that we can say is, that Providence is more beneficent than we are cautious. If we rise without deliberating and deciding upon the subject of a Regency, we leave it to mere chance whether, before we meet again, the executive power of the State may not be in a state of abeyance in the hands of an infant. The Solicitor General tells us that the House has already voted an Address—that it has determined not to throw any obstacle in the way of its dismissal. I cannot see how that vote prejudges the present Motion; and when I recollect through how many stages every legislative measure must pass, in order to give time for Parliament to debate and consider, surely it cannot be expected that on a question of this magnitude we should decide in a single day, especially when so large a minority pressed the fitness of an adjournment. Is that insulated vote, in the face of such a minority, to preclude the House from entering, before it rises, into this great and momentous question? Because I wish for an opportunity for reconsidering the question, I am obliged to my hon. and learned friend for his Motion of to-night, which shall have my most earnest and hearty support. Some of the arguments of the Solicitor General seem to me entirely futile and groundless. He said that in 1788 and 1810, a necessary suspension of the Royal power took place—that Parliament provided for the occasion, and that no harm was done. Parliament did provide for the occasion, but was no harm done? All such measures do harm—and why? Because they are revolutionary. Nothing can justify them but the necessity of the case, and they were as unconstitutional as the vote that James 2nd had abdicated the Throne. The fact that Parliament was compelled so to interfere in 1788 and 1810 seems to me a strong argument against the postponement of this great subject. All irregularities of this description are dangerous in proportion to their frequency; and if, in a little more than forty years, the two Houses of Parliament shall be obliged to interfere three times to confer the supreme executive power by a positive enactment, in the present state of the public mind it is utterly impossible that the foundations on which hereditary monarchy rests should not be shaken. Other arguments of the hon. and learned Gentleman seem hardly to deserve notice. He said that the attendance would be thin; just as if the House had not itself the power to compel a full attendance of its Members. Next he talked of the great expense of elections; and, no doubt, expensive elections are a great evil; but this objection comes with the worst possible grace from those who have uniformly resisted any change of the representative system which would make them less expensive.—But, admitting it to the full extent, it affords no reason why we should break up, and leave the most important business undone, the Civil List unsettled, and the Regency unprovided. At all events, the people ought not to smart for it; and if expensive elections are a small evil when the question of reform is argued, we are not to permit those who then asserted that, to tell us now, that it is a great evil when the topic of a Regency is discussed. Either it is great or it is small; if great, we ought to have reform; if small, it ought to be no bar to the discussion of the Regency. We all know, that when a Parliament has lasted for seven years it must be dissolved: it is usually dismissed at the end of six years, and it is perfectly well understood and notorious, that such an event is about to occur, and I ask the right hon. Secretary, or any other Minister of the Crown, whether he can give any reason for now dissolving Parliament, which would not have applied to the year 1826? Yet in 1826 no question was pending or undecided approaching the consequence of that which we are now about indefinitely to postpone. Thinking it of the greatest importance to the happiness and welfare of the people, as well as to the dignity and stability of the Throne, that the House should not separate without making provision for an event which may occur in the Royal Family before the next Session; and thinking also that a matter of such high concern should not be postponed merely that an incapable Ministry may get rid of an unmanageable Parliament, I shall most cordially vote with my hon. and learned friend.

Mr. *Bankes* lamented the late decision which the House had come to on this subject; but, under all the circumstances, he thought it would neither be decorous nor expedient to re-open the question. The House, after a long discussion, had decided by a large majority, that this question ought not to be entertained in the present Session of Parliament; and, however he might regret such a decision, he still felt persuaded that no advantage could result from rescinding that resolution. The Crown, in its Message communicated to the House, had informed them that it was desirable to despatch the necessary business of the Session with as much speed as might be convenient, and to proceed afterwards with the election of a new Parliament. By this communication the Members of that House were, to a certain degree, made Councillors to the Crown; and it placed them, as he thought, in an unfortunate situation, for it made them judges in a case where they ought not to be consulted. Thus far, therefore, he thought that his Majesty's Ministers had pursued an injudicious course. His own decided opinion was, that before they separated they ought to set about making provision for the Civil List, and settling the question of the Regency, in order to avert those evils which might by possibility occur. But his Majesty's Ministers advised Parliament to adopt a different course, and Parliament, by a large majority, agreed with them. This decision, as he had already said, he greatly lamented; but as it had been come to, he thought that the House ought to abide by it. There was no instance of the appointment of a Regency being the act of the House itself, without a previous Message from the Crown. While the course followed by his Majesty's Ministers appeared to him a very unwise one, he would still say, that, if danger should arise from it, let the mischief and responsibility be on their own heads.

Mr. *C. W. Wynn* could by no means concur in the sentiments expressed upon this question by the hon. and learned Gentleman, the Solicitor General. It did not show any indecent haste, neither was there any disrespect to the Crown in calling upon the Parliament to address the Crown on a question of so great importance as this, with a view to an early settlement of it. His Majesty's Ministers having failed to do so of themselves, there could be no indecency in urging the matter upon their consideration. In the earlier periods of our history there were instances of Regencies being appointed without any previous Message from the Crown. Such was the case in the time of Henry 8th, when two bills were brought in, by which the Regency was vested in the Queen Mother, first in relation to the Princess Elizabeth; and afterwards conferring the power on Queen Jane, in contemplation of her probable issue. In neither of those cases were the measures disapproved of by the Crown. Even Queen Elizabeth, who was very jealous of her prerogative, found no fault with the Commons for advising her to marry. The usual course, he admitted, was, that it should be left to the Crown in the first instance to submit a proposition to the House, and that the House should in the exercise of its judgment, state its willingness to agree to it. He did not think with the hon. and learned Gentleman that any suggestion of this nature would appear indecent to the Royal mind, immediately after the Monarch's accession to the Throne; or that it could be at all deemed indelicate, to state that the Monarch was subject to the numerous evils of nature. It could not be deemed indelicate towards the Illustrious Personage now on the Throne, to remind him that the late King was only three years older than himself, and that, therefore, a provision ought to be made to meet one of the greatest evils that could befal the country, an evil involving a question of the greatest national importance. Though a suggestion of the kind might excite alarm in a weak mind, it could not possibly alarm so strong and sound a mind as his present Majesty was known to possess. He would ask if any private individual who had an estate to bequeath, and who had to make provision for a large family could in the slightest degree be offended by such a suggestion? He would ask the hon. and learned Gentleman if any of his clients came to consult him in such a case, whether he would say, that it would be wise in him to let a single day elapse without making a suitable settlement of his affairs? In the case now before the House the family was the people; and should the demise of the Crown unfortunately take place while Parliament was dissolved, there could be no doubt that for a considerable time the people would be bereft of all protection. Nor did he think that the course now proposed was inconsistent with their former proceedings, or with their feelings of respect for the Sovereign. The Crown had already received an Address founded upon the Royal Message, and the House pledged itself to make such temporary provision as might be requisite for the conduct of the public service in the interval that must elapse between the close of a present Session and the assembling of a new Parliament. But he would ask, when such provision had been made, as it ought to be, would there be any inconsistency, if the House thought that there were other subjects demanding its immediate attention, in addressing the King to authorise Parliament to take them into consideration? He saw no inconsistency in such a proceeding, and if it were inconsistent he would not hesitate to adopt it; for it was their first duty to their constituents to adjust without loss of time a matter intimately connected with the succession to the Crown and with the safety of the State. Nothing should prevent them from undertaking such a task but being quite incompetent to perform it; and accordingly, most of the arguments urged against the Motion had been directed to show that the present Parliament could not attend to the subject. But the greater part of the hon. and learned Gentleman's arguments would equally apply after the new Parliament was convened as at present. The hon. and learned Gentleman argued as if the better plan would be, to leave all the cases to right themselves, and that the wisdom of Parliament should only step in after the events had occurred. But he would ask, why was it more expedient to provide three months hence against an evil that might possibly occur within twelve months after, than to provide against it now? The question was, not to provide only for a minority, but also for the case of an unborn successor; though whether there was a probability of such an event occurring or not, was not then the time to inquire. The House might, however, suppose the evil occurring suddenly; the Privy Council would then be called on the instant, and the first question asked would be, whether the Queen Consort was pregnant? It might take a long time before a decisive answer could be obtained on this point. Then what was to be done? Parliament would not be sitting, and its Members, or rather the Members of the two Houses, might be dispersed all over the country, so that they could not be collected sooner than a fortnight, and who, he would ask, was to provide for the execution of the public service in the mean time? It was true that in 1789 and 1810, the Ministers of the existing King continued to act in his name, the Courts of Law continued open, and writs were issued. But here the case was very different, and he should like to know how that confusion could be avoided which must arise upon the demise of the Crown, when no successor was appointed? He would ask how was the public peace to be preserved? Individuals might exert their authority, but it would be optional with the people whether they paid obedience to them or not. Upon the interruption of the Royal authority by the demise of the Crown, it was the imperative duty of the two Houses of Parliament to make provision against a contingent evil. The hon. and learned Gentleman was cheered when he argued that the period of six months was too short to allow of any decisive measure being fully considered; but he (Mr. Wynn) would ask, what was to be done when, upon the demise of the Crown, no provision whatever was made, and the two Houses of Parliament were not sitting? Let him ask, could not the question be more calmly and dispassionately considered now, than at a time when different persons would be urging their claims? In 1789 there could be no doubt whatever as to the person who was to exercise the Royal authority, and at that time an argument was unadvisedly urged by Mr. Fox, which gave to Mr. Pitt an advantage that he never afterwards lost during the whole discussion. He might here observe, that perhaps Lord Loughborough had used stronger language than Mr. Fox. All parties, however, then agreed that, whether the power was to be more or less restricted, the heir-apparent was to be the person who should discharge the office of Regent. Matters were now, however, on a very different footing and precedents might be quoted from our history, as in the reign of Edward 3rd, and two Regency Acts of Henry 8th's reign, to show that the mother of the minor, not the heir-apparent, should be Regent. In Queen Mary's reign, the powers of the Regency, under her expected issue, were to be exercised by King Philip, and in 1751 they were vested in the Princess Dowager of Wales and a council. There were other cases which favoured the pretensions of the heir-presumptive, and all these claims were complicated in the present instance by the possibility that the heir-presumptive might be the Sovereign of a foreign kingdom. These circumstances showed that there might be, in case of the demise of the Crown, a number of conflicting claims to the Regency, all of which might be supported by the practice of former times. Let the House suppose, that in the event of a case suddenly occurring, one of these persons might be advised to exercise the Royal authority while Parliament was not sitting, would not the country be placed in a most inconvenient, and even hazardous predicament? It was wisdom to guard against such a case—it was the reverse of wisdom not to guard against it. It was not wisdom to say "Oh, nothing of this kind will occur; but, if it does, Providence, and the wisdom of the two Houses of Parliament, will bring us out of it." The hon. and learned Gentleman said, we ought to look to the wisdom of our ancestors, and referred to the instances of Henry 3rd, and Richard 2nd. For his own part, however, he was not disposed to look to such precedents as authority that ought to guide his conduct in cases like the present. They might as well ask him to look to what had occurred upon the death of St. Louis, after his return from the Crusades in 1314. There were no cases, however, which the Parliament could take for their guide in providing for the possible occurrence of the demise of the Crown during the dissolution of Parliament; but there were many cases to prove, that Parliament had taken especial care to provide for the Government of the country during a probable minority. The right hon. Gentleman then referred to a series of cases in the history of this country, with a view to show that since the Revolution the principle which was now contended for, had been recognized, and that it had repeatedly been acted upon for the purpose of guarding against any contingencies which might place the succession in difficulty, or occasion any embarrassment in the affairs of the State. With respect to Charles 2nd, one of the articles against Lord Clarendon was, that he had encouraged the King's marriage with the Princess Katharine, knowing at the same time that there was no probability of issue in fact, whatever there might have been in law. With respect to the time of James 2nd, there was then a case which loudly called for the interference of Parliament; but that bigotted and besotted Monarch dreaded nothing more than the assembling the two Houses of Parliament. As to the case referred to by an hon. and learned Gentleman, in which allusion was made to the possibility of posthumous issue, he was sure that, if the pregnancy of the Queen had been declared, Parliament would have made provision for the emergency, but it was not necessary to pass a bill of that nature when there was no probability of any necessity arising for its operation, as there would be time enough to take such a precaution if it became necessary. On the death of a Sovereign it was, of course, necessary to make provision for the exercise of the Royal authority during the minority of a child. In the reigns of George 1st and George 2nd, no possibility of this kind could have arisen, because they had children at the time of their coming to the Throne. In the case of his late Majesty, George 3rd, the provision which was made in 1765 might more wisely have been adopted immediately after the King's accession; but the moment that the possibility of his demise was brought painfully before the public mind, the King himself went down to the two Houses of Parliament, and caused the necessary measures to be taken. Was it desirable that the Royal authority should he left with a child only ten years of age? If a case should arise, he was ready to agree that it must be provided for by an ordinance of the two Houses of Parliament, and the necessity of the case would give such an ordinance the force of a law passed in all its forms; but he should consider such a necessity a great calamity. It would familiarise the country with the principle of passing laws to which the Head of the State did not assent, and it might establish a dangerous precedent for future times. He thought that the appointment of a Regent was a Legislative act, to which the assent of the Sovereign as well as of Parliament was most essential. It was essential that the succession to the Throne should not be altered or settled without the concurrence and assistance of the reigning Monarch. What evils could arise from the consideration of this question at the present moment? It might, perhaps, be the cause of some inconvenience to Members who were anxious to betake themselves to their constituents, but it should be recollected that their duties in that House were paramount. Those who were desirous of proceeding immediately to the consideration of the question had an ungracious task to perform. But he was sure, that the House of Commons would object to the influence of petty personal motives on an occasion where the interests of the State were so deeply involved. What was it to the public if no one of the 658 Members who now sat in Parliament, were returned at another election. He was not one of those who were disposed to find fault with the Parliament as at present composed, but he was satisfied that if by any calamity they should all, at one fell swoop, be removed from their seats, the country would not fail to find those who would be able to discharge the duties with equal fidelity and with equal effect. They ought not to put their own personal convenience in competition with the public interests. It would be found, by a reference to past events, that from the institution of septennial Parliaments, down to 1784, there was hardly one Parliament dissolved in less than six years, while some sat till within three or four months of the time at which they would naturally expire. Why, therefore, should the Members of that House consider themselves so important, that, come what might, they must go and look after their constituents? It was plain that this or any other measure could not take up the whole time during which Parliament might continue legally to sit, all the other business being disposed of in the manner it was. He was, therefore, prepared to support a supplication to the Throne that some measures might be adopted to guard against any suspension or embarrassment in the exercise of the Royal authority. The tone and temper of Parliament would be more calm now than could be calculated upon at a future meeting of the House.

Colonel *Sibthorp* said, that he would be the last man in the world to be guilty of any indecency, or any thing that could bear the semblance of disrespect, to the Sovereign who now sat on the Throne; but he regretted that his Majesty's Ministers had not advised that illustrious personage to guard against the contingencies to which the hon. Member, in the discharge of his duty, had adverted. Ministers should have taken up the business in a spirit of sound policy, and with a view to the future. "*Non modo quod ante pedes videre sapere est, sed etiam illa quæ futura sunt, prospicere.*" Ministers would better secure the confidence of the people if they adopted a firmer and more consistent course than they had hitherto done.

Sir *Robert Williams* observed, that the subject was a very delicate one, and that the measure which was proposed would be most ungracious at this moment. He did not think this the time for a cool and dispassionate consideration of the question, and was of opinion that it would be better to defer it to the next meeting of Parliament.

Lord *Morpeth* said, he supposed his Majesty's Ministers grounded their claims to the confidence of the public, as to the course to be pursued in the delicate emergencies which might occur, upon the judicious manner in which they superintended the Regency of Portugal, leaving an unprotected infant with a tottering kingdom. The thing that they calculated upon was the certainty of human existence, and the risk which they ran was the possibility of civil discord.

Lord *Darlington* said, that, as he had already suffered five nights to pass over since the last debate, he was not sure that he ought now to advert to an attack made by the hon. and learned member for Knaresborough upon himself, and other hon. and independent Gentlemen who surrounded his Majesty's Ministers on that occasion. [The noble Lord was proceeding to make some further remarks upon this subject, but was called to order by the Speaker.] He then expressed his dissent from the present Motion, and said that the question had, on the former evening, received all the discussion which was desirable at present.

Mr. *Fleming* declared his confidence in his Majesty's Ministers, and condemned this Motion as indecent. It was disrespectful to the uninterred remains of the late King, and discourteous towards the present Sovereign. It seemed to him to have been dictated by party spirit. He thought some other subject might have been selected for discussion under existing circumstances.

Mr. *Huskisson* wished to know in what way the present Motion was indecent, disrespectful, or discourteous—or what part of his hon. friend's speech appeared to have been dictated by party spirit? If it was indecent or discourteous to discuss this subject, he would ask, had it not already been discussed on the Message from the Throne, and had not the right hon. Secretary of State then said, that the inconveniences which might arise from the demise of the Crown without a Parliament must be uppermost in the mind of every Member of Parliament and of the Government? The House was now only doing a duty which was paramount to every other, and he had heard no reason advanced against the discussion, except that it was desirable to have a dissolution as soon as possible. He was not one of those who denied that the Crown had a right to dissolve the Parliament, nor that other Administrations had occasionally advised the Sovereign of this country to take the same step. Of that advice, in the present instance, he did not complain, because the Estimates were not all voted at the moment when the announcement of a dissolution reached the Representatives of the people, although this fact would show how little prepared the state of the public service was for this important and unexpected announcement. The precedent of 1820 was not at all in point; and certainly the proposition for some permanent arrangement of the Civil List, on a better foundation, should have been supported and carried into effect. He might be supposed to be more intimately acquainted with the details of that subject, from official sources, than others; yet he was decidedly of opinion that the subject would not be better or more competently discussed in a new Parliament than in the present. In fact, everything, in that instance, would depend on Parliament being enabled to make a good bargain for the public. He could not, in looking at this question, and the conduct of Government in postponing to another Session such a vitally-important subject, help contrasting it with their conduct in the last Session, when, although the Table of this House had been disencumbered of the numerous bills which crowded it early in June, such was the eagerness of Government to leave nothing unsettled, that the House continued to sit for three weeks, merely to give the great coal-owners in the North of England an opportunity to settle a dispute about duties with the City of London. Yet the Ministry affected to think it altogether unnecessary that, before separating, Members should now have an opportunity of expressing, for their own sakes, and that of their constituents, what were their opinions on this very momentous question, and what ought to be the course pursued in the event of the melancholy contingency alluded to in the Address. In answer to the argument of his right hon. friend, he would just remind him and the House, that a contingency of this nature had occurred with respect to his late lamented friend, Lord Liverpool, who, in the perfect possession of all his faculties, appeared in the debate at the House of Lords on the 16th of February, and the next day was stricken to the earth by an infliction of Divine Providence, which deprived him of the exercise of his faculties, and occasioned thereby considerable inconvenience to the public service: that his successor, a man in the fullest exercise of a vigorous mind and good constitution, having witnessed the prorogation of Parliament on the 28th of July in the same year, survived that event but ten days, when he was snatched from a career of energy and usefulness, and the name of Canning numbered amongst those of the illustrious dead, although he had been, but three days before that melancholy event, engaged in a long conference with his Sovereign at Windsor. With such mementos of the uncertainty of life before them (and he believed this country might yet have deep cause to regret the loss of the services of such men) he could see no want of respect to the Crown, or discourteousness, in supposing such a calamity possible as that alluded to; nor did he think that either of those illustrious individuals, so untimely snatched from a career of usefulness, would have had the rashness to advise the Crown, under such circumstances, to dissolve Parliament, and run such a fearful hazard as might be incurred, should such a calamity befal this country as the sudden demise of the present illustrious possessor of the Crown of these realms. In contemplating the possibility of such a distressing event, he felt there could be nothing, by implication, discourteous or presumptuous towards a British Prince, who had many times braved death on the quarter-deck of an English man-of-war. It would be recollected, that under the injunctions of the Statute, the Privy Council must be called together as soon as conveniently might be. Not, be it remembered, a Privy Council of Councillors to the living Prince, to whom they had sworn no fealty, nor yet to the dead Monarch, to whom their duty had ceased with his life; but a Privy Council who were to be called together, specifically, to point out and proclaim the successor to the Crown. How was such a Council to proceed in that inquiry? Upon what examination of facts were they to decide, in that case, as to the fitness or expediency of appointing a Regent? Were they calculated with effect to enter into all the minutiæ of a question, including considerations of the utmost delicacy, as well as of the most vital importance to the State? Was it possible this could be done by this Council as well or as effectually as in Parliament?—or could such a Cabinet for a moment imagine, that whilst they were employed, debating these delicate subjects within doors at the Council-office, there would be no debating upon it, of a more animated nature, out of doors? What would the proclamation of such a Council avail, desiring or requiring the people of this country to pay allegiance to A, B, or to C? What validity would their authority have with the body of the people of this country should they continue to debate within their own room such subjects for any length of time, whilst there was no exercise of the Royal functions by any recognized authority? True, the Parliament was to meet as soon as it might be convenient. But scattered, as the Members would be at the period of a general election, all over the country, would it be possible to convene it in less than eight or ten days, if so soon? And then, of whom would it consist? Possibly of 200 or 300 gentlemen, several, if not the most of whom, had been, in the meantime, repudiated and rejected by their old constituents. But, to such a Parliament, and so constituted, pursuant to the law as it now stood, must the adjustment of all these delicate subjects be intrusted. And in the case contemplated, this difficulty might be increased by the novel circumstance of both the heir-presumptive and the heir-apparent being in a state of minority. It was assumed by his right hon. friend, that, as a matter of course, the infant would act by known, recognized, and responsible advisers. But he would ask, who was to act in the first instance for such Royal infant, and choose for it such responsible advisers? If it were said, that House was to be consulted, he imagined they would be consulted only so long as they consulted the wishes of the predominating influence, in the same way that Corporations were called on, in some boroughs, to choose officers at eleven o'clock, and told at twelve to go about their business, having finished their election. There was open to adoption, by those who now were called on to exercise this important duty only, a choice of difficulties; and, considering the great effect which their determination must have on the tranquillity and stability of our institutions, it was highly desirable and expedient, that the regular continuance of the exercise of the office of the Crown should not be suffered to be interrupted, and that its assumption, immediately on the demise, should be fixed by regular law, so as to remove us from all inconvenience likely to result from being in a state of abeyance, for any length of time, to that Royal authority, which ought to regulate the motions of the whole machine of government, and keep everything in its place, revolving round it as a centre. It was unwise and injudicious, to say the least of it, to call the other members of the State, or the public generally, to deliberate when, or how far, the prerogative, and even the functions, of royalty might be in abeyance without inconvenience or difficulty. He would put it to the common sense of the House, and to each Member individually, and particularly to the hon. and learned Gentleman, the Solicitor General, who had alluded to the postponement of this discussion as of no material importance, whether, if they were called on to advise on a case of this kind, within their own families, or with the hon. and learned Gentleman, as a professional adviser—whether they would not recommend each and all of them, not on the possibility, but almost probability, of a minority in the succession to a large entailed estate, that there should be an immediate appointment of a guardian to protect the interest, and watch over the welfare, of the infant heir; and not expose the property to the risk of a Chancery suit, and the child to ruin? That was the course he was convinced the hon. and learned Solicitor General would recommend to a client, and the right hon. Secretary of State would adopt, with regard to his own infant family. If, however, the advisers of the Crown did give that counsel relative to the interests of the Throne and of the State, which they never would have given with respect to their own, it was but justice that the responsibility of that advice should rest on the heads of its authors; and that the minority in that House, as he anticipated the advocates of an immediate appointment of a Regency, in the event of a demise, would be, should be exonerated from any share in the responsibility of adopting a course which was full of complexity and possible confusion, in the event of so fearful a contingency as that in contemplation. All that had been said as to the inexpediency of pressing the subject on the attention of the Monarch at present, who was busy in arranging the details of his household, fell to the ground the moment it was recollected of how much greater importance such arrangement must be than matters of ceremonial or of private convenience and accommodation. The public convenience and public safety were paramount objects; and there must be abundant time to provide for both, if the disposition existed to press them on the mind of the illustrious individual most interested. The supporters of the Motion had nothing to apprehend from the attempt made to implicate them in a charge of implied disrespect to the character of that illustrious individual. It was unworthy of refutation. The charge was levelled at and against the responsible Ministers of the Crown, for having neglected that which, under the circumstances, was their obvious duty. The object of the Motion was, to assert a right which was equally applicable to parties interested in the appointment of a guardian to the heir of property, or to the heir of the Throne of these realms, except that, in the present instance, when public and general objects were at issue, the anxiety of all men ought to be proportioned to the magnitude of the risk that was run, and the danger which might possibly result to our liberties, and the safety and tranquillity of the State.

The *Attorney General* absolved from all party feeling the Mover and the supporters of the present Motion. The question before the House was one rather of expediency than of law; namely, whether a Regency, in the event of a demise, should be the creature of this, or of a subsequent Parliament? That resolved itself into the consideration—whether this was the proper moment to entertain the question of the Regency. He agreed with the hon. member for Dorsetshire that they could not, without inconsistency, adopt this Motion, after the vote of Wednesday last. The whole discussion involved the probability of a certain event happening, to which it was painful to allude. If he thought that there was any probability of that event coming to pass, he should be disposed to agree with the motion of his hon. and learned friend. But he had heard no statement that led him to come to that conclusion; and when he recollected the importance that was attached to the question itself, together with the number of delicate points that were involved in it, he could not persuade himself that the consequence would not be the prolongation of the inquiry beyond the period when the present Parliament must necessarily die by law. Let them look at what took place in the course of the reign of George 3rd. In November, 1788, the malady of the Sovereign was communicated to Parliament, and the propriety of a Regency came under discussion. What was the consequence? Although it was admitted on all hands that the Prince of Wales had a right to the Regency vested in him, or at least a paramount claim to it, and there was no dispute, and could be none, as to the person of the Regent, yet the discussion continued till the 19th of February, when the King's recovery rendered further proceedings unnecessary; so that in this case four months were expended; and it was admitted now, by the very persons who supported the present Motion, that the case, in this instance, involved still more delicate questions. He therefore thought it highly probable, that if they were to begin on this question to-morrow, they would find that its discussion would be prolonged beyond the legal duration of this Parliament. But there were other considerations, which, in his mind, were imperative. He looked upon it that Parliament was to be considered in the same light as a man. With respect to the latter it had been observed, that if he was aware of the period of his decease, he would cease to have that activity of mind which fitted him for the affairs of life. So it was with Parliament; and when it knew that, in the course of a few months, it would cease to exist, he would defy any Parliament to look at such a subject as this with that temper and foresight which were so absolutely essential. For all these reasons, then, he thought he was justified in coming to the conclusion, that it would be much more expedient to postpone this question till the new Parliament should have assembled. He also begged to observe, that no precedent could exist for the discussion which they were now invited to undertake. Previous to the Act of William 3rd, by which Parliament was empowered, at the will of the Sovereign, to extend its sittings six months into the new reign, it was of course evident that no precedent could have occurred; for, as the Parliament had no power to sit, a discussion such as this could never have been agitated. At the death of James 1st there was ample reason, according to the arguments of his hon. and learned friend, to discuss the question of a Regency; but no such question was discussed. In general, prior to the Act of King William, whenever a question of Regency was discussed, it was necessarily in a new Parliament. What, then, was the object of the Act of King William 3rd? It was passed with views quite different from any that now existed. It was passed immediately after the people had recovered their new, or, he might say, their old Constitution; and it was passed with an intention to secure that. It was intended to guard against dissension, and even civil war, which might have ensued at the demise of the Crown. King James was then alive, and he might have issued writs for a new Parliament. The Whig party, therefore, which had effected the Revolution, in conjunction with the most respectable people of the kingdom, thought it right to provide against such a contingency, by prolonging the life of the same body for some months after the King's death, so that the exclusion might be permanent. This was the purpose of that law. For a long time there was a disputed succession. During the reign of Queen Anne, George 1st, and George 2nd, there was another person existing, who might issue writs at the death of any one of these Sovereigns, and there was a risk of having rival Parliaments, a civil war, and a disputed succession to the Crown. It was on this account that the Act was passed to continue the Parliament, and the officers under the Crown, in possession of their offices, unless the King decided otherwise, six months after the demise of the Crown. He would not say that it was not wise to provide for some contingencies to meet some dangers; but it was certainly not wise to make laws for every possible contingency. Parliament ought not, in fact, to make laws for extreme cases. It ought not to make laws for speculative cases. The principles of Parliament were essentially practical, and it ought not to think of those extreme and speculative and barely possible contingencies, which had been referred to, unless it were made out that there was a probability, or an approximation to a probability, that the event which they all deprecated and deplored was likely to happen before the meeting of the new Parliament. He saw no danger of that; nothing to excite alarm. In his opinion, therefore, a new Parliament was the most proper to enter on the subject, and that only could fully deliberate on such an important matter, so as to bring it to that successful result which was desired by his hon. and learned friend. One of the advantages of an hereditary Monarchy was the certainty of succession to the Throne. It was uninterrupted, and there was no doubt about it. With a limited Monarchy again, the country never could be destitute of responsible Ministers; and having both a certainty of succession and a certainty of responsible Ministers, he really saw no danger from a minority, when the minor was twelve years of age, which made it necessary for the Parliament immediately to settle who should be Regent. There was nothing at present in the circumstances of the country that made it even advisable for Parliament to have a Regent ready prepared in its pocket to be brought forth in a case of necessity. In many cases the Queen Consort had been in a situation similar to the present Queen, without Parliament having thought it necessary to provide a Regency. This was the case after the accession of George 3rd, and during the first pregnancy of Queen Charlotte, and the same arguments might have been then as were now urged. It might have been stated, that it was essential to appoint a Regency to provide for the possible case of the succession of a minor not then born. But if this were right, why not go further? He would suppose an extreme case of a Dowager Queen being pregnant; and it being probable that she might have twins, why not bring in a bill to determine which of the offspring should reign? But if such a case as that did not require to be provided for, neither did the existing case with that extreme haste which was implied in the present Motion. Considering that there was no probability of that event occurring, which all alike would equally lament and deplore, he thought it was neither consistent with decency, nor with respect to his Majesty's most gracious Message, considering that a new Parliament would be far better to discuss this subject than an old Parliament; that it would then be done more safely, and with greater advantages; that no danger could arise from leaving the question unsettled for a few months; he saw no reason whatever for agreeing to the Motion of his hon. and learned friend.

Lord *Althorp* saw nothing, in voting for the Motion, either of inconsistency in regard to the late Resolution of the House, or of indecency in regard to the Crown, which ought to make him vote against his hon. and learned friend. The Motion was opposed on two grounds—that the House had already pledged itself to a different course, and that the present Motion would be an indecency towards the Crown. There was no man in that House who felt greater delicacy than he felt in touching such questions, or more respect for the King; and if he thought that voting for the Motion was disrespectful to the King, he would not support it. But when a great and serious evil was likely to arise—when difficulties and danger were threatening—it would not be disrespectful to the King to engage in a discussion that involved the best interests of the country. It was a question in which the interests of the whole people were deeply concerned. His hon. and learned friend said, if there was a probability of the event occurring, he should be ready to enter into a discussion of the question; but if there was no probability, there was, at least, a possibility; and every man must feel, that against that possibility it was imprudent not to provide. The case had been compared to a man neglecting to make his will; but it was worse than neglecting it—it was precluding himself from the power of doing so for a considerable time. It was like a man having to suffer a recovery, in order to enter into the possession of an estate, and his hon. and learned friend's arguments were like advising him not to do that now, but to wait till the end of the long vacation. But his hon. and learned friend would advise no client to act in that manner; and was then the business of the country to be conducted on a principle that would be severely condemned in the management of a private estate? Was there any disrespect in that House reminding his Majesty that his life, like that of all other men, must be uncertain in its duration, and against the consequences of that uncertainty it was desirable to provide? His hon. and learned friend had referred to the time during which the Regency bill was agitated in 1788, but that fact, if it had any force as an argument on either side, told against his hon. and learned friend. What was the cause of the delay? Was it not because no provision had been made for such a contingency before the Throne was actually vacant, and the strongest party feelings were roused in the contention? The question then became one of great difficulty; it required much and serious deliberation. So, he admitted, would the present question; but to say that it could not be settled in four or six months appeared to him a great exaggeration. He did not mean to follow his hon. and learned friend who had introduced his Motion through all the details of the question; he did not mean to enter into a consideration of all the contingencies which might arise in case of an event which he, in common with all his hon. and learned friends, should deplore; he admitted the difficulties of the discussion, but seeing in it nothing like disrespect to his Majesty, he should give his support to the motion of his hon. and learned friend.

Sir *R. Peel* could not help thinking, that the apathy which had appeared during this debate was an evidence that this was not a desirable period to enter on such a protracted discussion as must necessarily ensue should the Regency Question be brought forward. If it were now commenced it would probably be so far advanced at the end of August, that the bill might be got to the second reading, when neither the attention of the House, nor the number of Members in attendance, would be such as the importance of the subject required. He could enter into the feelings of those who were in the minority the other night, who felt themselves included by the vote of the House, thanking his Majesty for being unwilling to recommend to them, at this advanced period of the Session, and the state of public business, any new matter, and assuring his Majesty that the House would apply, without delay, to make temporary provision for the conduct of the public service during the interval between the close of the present Session and the meeting of a new Parliament. He could enter, he said, into their feelings, but that ought not to induce the House of Commons to contradict its own resolution. To the Address which the House had formerly agreed to, the Crown had that night returned an answer, and his Majesty thanked the House of Commons for its dutiful Address. If the Motion were carried, they must go up to the Crown with a very different Address, which would require another answer. The Address moved by the hon. and learned Gentleman could not, however, have the approbation of the House of Commons. It was hardly respectful to the Crown, after the King had communicated to the House of Commons that he had no intention to recommend to it the consideration of a Regency, or any other matter which would have the effect of delaying the proceedings of Parliament, to vote an Address to compel the Crown to deliver a Message which it declared it had no intention to deliver. It would be not a very auspicious commencement of a new reign for the House to oblige the King to do what he had declared he had no intention of doing. The proposal of his Majesty's Government, to permit a sufficient time to elapse for maturely considering the proposal of the Crown, was reasonable and proper. He could conceive nothing more difficult than to determine what were the contingencies likely to happen on the demise of the Crown, so that they might be properly provided for beforehand. There were very many contingencies which might occur, and which it might be extremely difficult to provide for; and after exerting the utmost ingenuity in devising remedies, they might produce ten thousand times more danger than if the contingencies took place without the remedies. Some specific calamities, to which the Crown was subject, as well as private individuals, had been adverted to; and his hon. friend had instanced the calamity which had befallen Lord Liverpool, who was in the full possession of his health and strength, and in one short week was struck to the ground, and deprived of his mental faculties. But was it proposed to make provision for every possible contingency by which the exercise of the Regal functions might be suspended? If not, what had the case of Lord Liverpool to do with the question? The House would recollect what had passed in the reign of George 3rd. In 1788, when a calamity had visited the Sovereign, proceedings were taken, to provide a Regency. But did Parliament think it desirable to provide against the recurrence of such an event? No; for in 1810 it did recur, and did not Parliament find itself without any provision for that contingency? It did; and why, after having obtained the knowledge that the Royal faculties might decay, did it refuse to provide for such a future contingency? Because it would rather permit its recurrence than be guilty of the indecency and the indelicacy of presuming upon the possible future derangement of the King. The hon. Mover had stated eight or ten suppositions, and these only by way of sample. If the contingencies were so numerous, and the difficulty so great, was it decent, before the funeral of one King, to force his successor to deliver a Message, requiring the House to consider all the contingencies? If the question was so complicated, let it be left to the Crown and its advisers to devote a sufficient time for its consideration. There were two contingencies which had been mainly dwelt on. The first was not a question immediately connected with that of a Regency, because it might occur when the heir-presumptive was not a minor; namely, when on the demise of the Crown there was an heir-presumptive, and also a Queen Consort who might be pregnant. The question in this case was, whether it were desirable to make any provision; and, if so, what provision? When he referred to this case on a former night, he had mentioned its having already occurred, and the possibility of its recurrence, and he then stated that the absence of a remedy was a strong proof of the conviction of the Legislature of the difficulty of providing a satisfactory remedy, and of the necessity of mature consideration before any remedy was suggested. The hon. member for Montgomery (Mr. C. W. Wynn) had said that in this case, that of the existence of an heir-presumptive contemporary with a Queen Consort pregnant, was most important, and required to be provided for. His answer was, that that was a case of which there had been examples in our history, and that they had not been provided for; and therefore, before the subject was submitted to Parliament, the Crown should have at least six weeks for considering it. He would content himself with taking all the illustrations he should have occasion for, from recent times; and taking the reigns of our Monarchs from James 1st, reign by reign, the result was, that in almost every case similar circumstances existed as at present. In the reign of James 1st the case was similar, at least it was equally necessary for Parliament to provide a similar remedy. There was a King in possession of the Crown, an heir-apparent who was a minor, and no provision was made for a Regency. In the reign of Charles 1st, at least for some period of his reign, the Parliament might have felt a deep interest in regulating the succession to the Throne, nor were the contests between that Prince and his Parliament a reason why they should not feel such an interest. In the reign of Charles 2nd the King was married, but had no legitimate issue. There was an heir-presumptive (James 2nd) and a Queen Consort. Charles 2nd died, and the Queen Consort might have been pregnant. The heir-presumptive was of full age, and he begged to say, that the danger of a struggle was far greater when the heir, as in that case, had been accustomed to military service. In the reign of James 2nd this was the state of things. James, by his first wife, had two daughters, who were the heirs-presumptive. Thus, in every reign hitherto, a case might be found parallel to the present. In the reign of Anne there was something, if not parallel at least analogous. During the life-time of George, Prince of Denmark, Parliament made a provision as to the successor to the Throne, who then resided abroad,—the Princess Sophia or George 1st; but it made no provision for the possible case of the pregnancy of the reigning Queen. Then came the case of George 3rd, in which, for three years, the contingency might have occurred, and yet no provision was made: so that he did not despair of Parliament finding a remedy, if the contingency should occur; nor was Parliament so dependent on mere forms that it could not make a precedent. In the case of the abdication of James 2nd Parliament had found a remedy, as well as on the occasion of the mental indisposition of George 3rd. God forbid that he should exclude all consideration of provisions against possible dangers; but they should be adopted after due consideration, and he could not admit, that at present the risk was so great as in former instances. In all instances prior to the Reformation, no Regent was ever appointed till after the demise of the Crown. His hon. friend observed that it was not wise to refer to such precedents. Perhaps so; but he would remark, that Lord Coke, in writing of the office of Regent, said that it was unknown to the common law. He had referred to the Regency appointed by Henry 8th, and said that it was for the King to appoint a guardian, or Regent, with the advice of the great council of the kingdom. If precedents upon this subject were always clear, then nothing could be more easy than the adjustment of this question; but it was singular that there was no one precedent which had ever been followed in the appointment of a Regency. There had been no less than five cases in modern times, and every one of them had been different. This fact showed the immense importance of the question, and how each case was accommodated to the circumstances of the times, so that one was in opposition to the succeeding case. In the reign of Henry 8th an Act of Parliament was passed authorizing the King to nominate the Regent, and a more complicated regulation could not well be conceived than that contained in the Act of Henry 8th. The Regency in the reign of Anne was a commission composed of seven great officers of the Crown. In the reign of George 2nd one Regent was appointed, who was the Princess Augusta, Dowager of Wales. In the reign of George 3rd there was a totally different precedent. Parliament did not nominate the Regency, but left the nomination to the King, limiting his choice to a certain number of persons named in the Act. All the instances, therefore, varied according to the circumstances of the case and of the times. There being, then, two difficulties to provide for,—one the minority of the heir-presumptive to the Crown, the other the possible pregnancy of the Queen Consort,—and no case being in existence which would serve as a precedent, it was too much to force the Crown to devise a remedy before his Majesty's Ministers could apply their consideration to so grave a question. It was but decent to give the Crown an opportunity of maturely deliberating upon the subject. As five different cases had occurred, in each of which the provision had varied, that very fact was a proof that this was a question environed with difficulties, and requiring mature deliberation before a decision could be formed. It was a question on which it was dangerous to pronounce hasty opinions,—*præpropera consilia*, as Lord Coke called them. The Crown should have ample time and opportunity for consideration. There was not such great risk of evil occurring to render it necessary to make hasty provisions; at the same time it was unwise to presume that no contingency would occur. But if it did, that was no reason to apprehend the calamities which had been referred to. The good sense and the reason of the country would, he was convinced, support the decision of the House of Commons. It had been asked, to whom the House of Commons should swear the Oath of Allegiance in that event? He would ask, where was the Act of Parliament which required the oath to be taken at the meeting of that Assembly? It had been said by one hon. Member that Parliament could not take the oaths until after the proclamation of the new King. That was, however, a mistake. It certainly was the practice of the House of Commons to take the oaths subsequent to the proclamation; but suppose that the Privy Council proclaimed a Sovereign who ought not to be proclaimed, it would then become the duty of the House to abstain from taking the Oath of Allegiance to the person so proclaimed. The House of Lords, he believed, proceeded to take the Oath of Allegiance to the Crown previous to the proclamation of the King by the Privy Council, and the Earl of Eldon, a high authority in such a case, was the first to do so on the late occasion. Therefore, the difficulty could not occur which had been stated, of the necessity of taking the Oath of Allegiance to some person, it being uncertain who that person might be. On the demise of King William, and the accession of Queen Anne, Parliament, for some reason, proceeded to act without taking the oaths at all. Some of the inconsistencies which had been pointed out would not arise, and many of the difficulties which had been started would not occur. At the same time he was not contending against Parliament, at a proper season, and after due deliberation, providing for a Regency; yet he would not attempt, considering the variation of human affairs, to foresee every contingency, or to devise too much before-hand for what must necessarily occur at a distant period. If immediate dangers pressed, he would advise the House to provide a remedy: but he believed that more danger would arise from an inconsiderate provision for a Regency, and he would therefore rather incur the risk of delay. On these grounds he should vote in opposition to the proposal of the hon. and learned Member. He did hope that the House, before coming to a division for the purpose of finally disposing of this question, would well consider whether, after the course which the House had already taken, —after an Address had been presented to the Crown, if not by a preponderating, at least by a considerable majority,—after the amendments on that Address, which were precisely in conformity with the Address of to-night, had been negatived, —after the House had led the Crown to believe that it was prepared to act in conformity with his Majesty's recommendations,—after having received that very day the grateful acknowledgment of the Crown for the assurances given,—he hoped the House would well consider, he repeated, whether, after taking that course, it would be compatible with its own dignity, and whether, in the words of the Address, it would "tend to make the commencement of his Majesty's reign auspicious," if the House were now to approach the Crown, informing the Crown that it had repented of its determinations, and that, scared by the approach of its own dissolution, it begged for a more distant day, in order to consider the question of the Regency.

Mr. *Brougham* spoke to the following effect:—If in the vote I shall give in support of the present Motion I saw any inconsistency with our former proceedings —any of that discourtesy referred to by the right hon. Secretary—if I deemed this proceeding at all likely to make the commencement of his Majesty's reign inauspicious, I should hesitate and pause, and I should have a long conflict with myself before I could support the proposition of my hon. and learned friend. In the first place it must be conceded to me that there can be no deviation from the consistency of the House, any more than there can be an imputation on its judgment, when it faithfully discharges its duty to the people it represents, and to the Crown whose subjects we are; and in the second place, I must beg leave to make a broad distinction now, which, with God's blessing, I mean to preserve in any future Parliament, between what is courteous to the Prince, and courteous to his Ministers; between what is inauspicious to any Sovereign's reign, and an event less auspicious to his Ministers: because I am well aware, that neither what is called the inconsistency of this House, nor what is described as discourtesy to the King, is any more than an inconvenience and an inauspicious beginning for his Majesty's Ministers. It is not auspicious, I know, to them that I shall give my cordial and hearty support to the motion of my hon. and learned friend. If there were inconsistency between the vote come to the other evening by a very narrow majority —there having been, on the first division, a minority of 139, and a minority of no less than 146 on the second occasion— I should not so cordially support it. But there is none, the House is only asked to add something to that Address, and it is because the proposition is only to add to, and not controvert our former Address, that my hon. and learned friend's motion has now my assent. I am prepared to deny that there is any discrepancy between them: I deny that there is any discrepancy, because, in our former Address, in answer to the Message from the Crown, recommending us to prepare for the dissolution of Parliament, we promised to provide the necessary supplies; and the supplies are now voted; we have done as we promised. I have no wish more fervent than that the House should not be inconsistent, nothing I would recommend more strongly than unanimity and concord; and I like the addition now proposed, because I think it is calculated to advance that harmoniousness which we must always wish to be preserved in our Addresses. There was one appeal made by the right hon. Secretary—one false step made by the Solicitor General, which I must notice, though out of no disrespect to him—out of no unfriendly feeling either to the right hon. Gentleman; but I wish he had forborne so to demean himself, and that he had omitted what was quite unworthy of him; that appeal which was followed by clamorous applause. I wish that he had not suffered himself to be seduced into the use of a sort of clap-trap, which was quite unworthy of the right hon. Gentleman, from his long standing in this House, though it might suit the tender infancy of the Parliamentary life of my learned friend, the Solicitor General: but for him who is always sure, from his seat in the middle of the Treasury Bench, to obtain a willing, and generally an applauding audience—in him it was unworthy to make use of a clap-trap to secure the vote of Members of Parliament, or invite rapturous applause, by referring to the late King being not yet cold in his grave, and insisting on the indecency of provoking discussion about a Regency ere his funeral was performed. It was quite unnecessary for him to refer to the King being yet unburied, to obtain applause. When the right hon. Gentleman mentioned the funeral, it was heard and answered by repeated cheers! when he spoke of the King's being unburied, cheers again encouraged him to proceed. But whose fault is it if I call upon the House to go up to the Throne with an Address to appoint a Regency, before the obsequies of the late King are performed. Why, if we do not go now, the obsequies of Parliament will be performed, and Parliament will not be able to address the Throne. If I am driven to intrude on the King in the midst of his grief, and warned against such discourtesy by the hon. member for Hampshire, whose fault is it? by whom am I driven, but by Ministers, who are anxious to dissolve the Parliament? It is their act, and not mine. They are indecent and discourteous: I am not; and on their heads, not on mine, must be all the blame. The present is the best, because it is the only time we can address the Throne on the subject before the Parliament is itself dissolved. We must go up with the Address now, or not at all. Did the other illustrious persons who have sat on the Throne of this kingdom abstain from the performance of their duty because the former Sovereigns lay unburied?—Did they even dream of being guilty of any disrespect to the memory of the King, by doing those things which were required from them at his decease? No; they entered into the smallest details of their expenditure—into the minutest particularities—into the whole mysteries of housekeeping and family arrangement—how much they were to pay for the Board of Green Cloth—how much they were to give for board wages to servants—how much they were to bestow in dole from the privy purse—how much they were to provide for the King's personal expenses, down even to the minutest article of personal attire. All this they entered into on all occasions—at the conclusion of every reign down to the year twenty, when, from peculiar circumstances, they first found the precedent which went to justify a contrary course of proceeding; but, till that time, the conclusion of every reign displayed a course in all respects uniform with respect to that order and arrangement to which we are now told it is indelicate and indecent even to allude while the Sovereign remains uninterred. The right hon. Secretary alluded to another point in answering my right hon. friend, the member for Liverpool, and my hon. friend who brought forward this Motion; a point which, although I believe he did not intend it to go beyond the meaning he gave it for the purposes of argument, is yet, I think, exceedingly liable and well calculated to create misrepresentation hereafter. I mean the reference which he used, as an argument, to the state of Lord Liverpool. I do not, I repeat, mean to say the right hon. Secretary intended it to bear such a construction, but the tendency of the case, which he used merely for the purposes of argument, would go to insinuate that this Motion raised a question of there being other visitations to which the Crown of this country might be subjected, besides that of death. I use that supposition now, merely as an argument. I know, whatever interpretation may be placed on it, that the right hon. Secretary used it in the same way; because I believe him utterly incapable of advancing it for the accomplishment of any sinister purpose. As an argument I deal with it, and purely as an argument. The right hon. Secretary then says, "you do not provide for all the cases which may arise, even supposing a Regency to be appointed; and although you cite the case of Lord Liverpool, you seem to forget that Lord Liverpool laboured under mental deprivation. Now the present possessor of the Crown may possibly labour under the same disease, and you do not propose to provide any remedy for that. You did not even do that in 1788, although you had warning that the Sovereign was afflicted with a complaint of that kind, and might be so again." That I take to be the right hon. Gentleman's argument. Now I would appeal to his candour and sagacity if I do not demolish it altogether. Why did Parliament provide for everything else and leave this part of the mortal deprivation untouched? Why, from delicacy! From a delicacy to the King, to his family, and to the people—from a personal reason very different from that which arises out of the visitation of death—an affliction to which all must bow, Kings as well as their subjects. It was because delicacy went hand in hand with policy, It was because it was contrary to all the maxims which govern the policy of this country, and contrary to all the principles of the Constitution, while the Sovereign is alive, and holding the sceptre of this country, to contemplate even the bare possibility of his being affected with mental deprivation. Parliament felt that the Throne could not be secure, nor the respect of the people preserved to it, if they were to adopt any measure which would seem to imply the possibility of such an event; and that was the reason, and the only reason, why they did not provide for it. The case, therefore, of Lord Liverpool, had no application to the question, in the manner it was put by the right hon. Gentleman. You may contemplate, I say, the possibility of death, because it cannot trench on the respect due to the Throne, to say that the Crown may be subject to such a visitation as that; but to adopt a course which would imply the possibility of the mind of the Sovereign being alienated, destroyed all the respect which the people should entertain for the dictates of the Crown. There have been a number of speeches delivered on this question, and many hon. Gentlemen have supported the Government, with very great honour to themselves, and, no doubt, very much to the satisfaction of their constituents. I am bound, however, to say, that those who have not distinguished themselves in this debate, are those from whom, on such a question, we expected most—the law-officers of the Crown. Whether it is, that my learned friends have higher duties to perform, or that they are engaged in setting their house in order, I know not; but certainly, of all the arguments I have heard this evening, those of my learned friends made the least impression on me. The hon. and learned Gentleman (the Attorney General) has, to be sure, argued much on the indelicacy and indecency of pressing this question on at such a time, and the same line of argument has been taken by the learned Solicitor General, but I confess it does not seem to me to be altogether applicable to the exigency of the case. Suppose, now—to take a case somewhat less exalted, but not less applicable—suppose that a man had succeeded to an estate in tail about the end of Trinity Term, and just before the four months of the long vacation; and suppose that he had a wife *enceinte*, and three or four children whom he wished to provide for. It would be very natural looking at the uncertainty of life, and the danger of losing the whole property in the event of his sudden death before the conclusion of these few months, that he should be anxious to suffer a recovery, and thereby bar the entail, and have it in his power to dispose of the property for the benefit of his family. Well, he goes to his attorney, and the attorney agreeing with him, proposes to consult one of the learned Gentlemen opposite, probably the Solicitor General, as most conversant with the method of disposing of property of this description. The attorney states the case, and tells him that his client has just succeeded to the estate under the circumstances I have mentioned, and that it is necessary to do something before the long vacation. What would my learned friend say? If we are to trust to the speech we have just heard, he would exclaim—"Go to! indelicate man that you are. You an attorney! You a person who dares to call yourself 'Gent. one, &c.' Out of my chamber—out of my sight! Talk not to me of fines and recoveries, or of barring entails, while the late tenant in tail lies yet unburied in the hall of his ancestors! Talk not to me of your recoveries, or your family, or of the danger of delay; the late tenant in tail lies yet unburied, and it would be indecent in the highest degree to discuss such a question at present! Let me hear no more of your estate in remainder or reversion; and I never wish to see your face again, unless you come in the shape of a client." Does the House think that this would be the advice of my learned friends? No. They would say, "the tenant in tail may die before Michaelmas Term. You must suffer a recovery forthwith, and a settlement must be made on the family." This would be the honest advice of the learned Gentlemen to their client; not the sentimental, and over-nice and delicately-scrupulous advice which it seems they give his Majesty's Ministers with respect to the settlement of the Crown; but the honest and unsentimental advice, which I take it for granted must flow from the deep and practised conveyancer. We are told, however, that the language of the Motion is uncourteous, and that there never was an Address to the Throne which contained language so uncourteous and so indecent. Now I really conceive there never was an Address couched in language so courteous and so submissive. To call it disrespectful seems to me, indeed, only to be paralleled by the hallucinations of a great functionary who once held a responsible situation in another city, and that was Dogberry. When that worthy, who was somewhat choice in his selection of expressions, heard that the Prince's servants were called villains—*longe absit omen*—he declared that to call a Prince's servants villains was flat perjury. And I confess I think his ability in detecting an offence in the way of language is only equalled by those who detect any disrespect or uncourteousness in this loyal Address. It is said, however, that it is uncourteous to press this matter on the Crown when his Majesty's Ministers do not think it necessary to adopt this course. If the Ministers, who are bound to counsel the Throne, neglect their duty, it is ours to supply their deficiency. What they leave undone, it is our duty to do. We, the House of Commons, are ever bound to advise his Majesty of the course we conceive the Crown should take, and to supply the defects of his Ministers when they become plain and unquestionable. We are sent back to precedents, however; I too can cite precedents; I do not wish to go back to the Wittenagamote, nor even to the time of Henry 3rd, because, however good it may be to know the time when the seeds of the Constitution were sown, it is better to examine the period when they began to expand into print, like the time of Charles 2nd, and then I find, not only that the Parliament did provide for the possibility of the demise of the Throne, but provided for it moreover by a Bill of Exclusion, which passed through the House of Commons, after repeated discussion, and shut out James, the brother of the King, because he was a Catholic. Talk not to me, therefore, of precedents. Here is a case of Parliament having considered the necessity of making provision for the succession to the Throne at the time there was an heir-presumptive, the brother of the King—and at a time too, when, for anything they knew, the Queen of Charles might be *enceinte*. It was true that the Parliament which met afterwards, in the reign of James, sat for three weeks, and merely settled the Civil List; but then it was immediately prorogued, and not summoned again, except for a very few days; they had afterwards much more important business on their hands, during the whole of that bigotted and subtle tyrant's reign, than settling a Regency. Then, however, there was the precedent of Queen Anne. I do not, however, think the case of Queen Anne will furnish much for the learned Gentleman's argument, because, if I mistake not, at the time to which he alludes, Prince George was dead, and Queen Anne was a widow, and there was no probability of there being any heir to the Throne, unless the hon. and learned Gentleman means to insinuate the possibility of there being a child *in ventre sans père*. In that case, therefore, I do not see the slightest application. We are told, however, that George 3rd abstained from making any provision of this kind, even after the calling of the new Parliament. Yes, but that is the very case; we are not going to sit for six years, we are going to be sent back to our constituents. The country will be left without Representatives in the event of the occurrence of such an event as that we anticipate with alarm, and that is the reason why we now press the settlement of the question. The Solicitor General, however, with all that manner which prevailed through his speech, and which gave it the air of triumph, if not the substance of victory, here steps in and furnishes us with an argument better than any taken from the time of the Heptarchy or the Wittenagamote. He tells us at once that George 3rd at his succession was not pressed in this manner by his Parliament to settle the succession to the Throne. But there was a good reason for that; George 3rd was a bachelor,—there was no Queen—there was no person *enceinte*, that I know of, and there was an immediate heir to the Crown in the person of his brother, the Duke of Gloucester: and when the new Parliament came, it came to sit for six years. This was the real grievance. If the Parliament was to sit, it would matter not whether the question was postponed for two or for three weeks; whether the question was to be discussed next week or the week after next. But they were going to be dissolved, and dissolved without making any provision for the dangers which might arise before a new Parliament could be summoned; but then it was said, he made no provision of this kind for years after [for a Regency? said Sir R. Peel.] Yes; but the King was vigorous and young, and his brother was in the immediate line of the succession. I take that case, however, and ask the House to look at what that King, did the moment he recovered from his illness, and became aware of the necessity of such a measure. He was a man of firmness and strength of mind—qualities in which he is well and worthily imitated by his descendant, our present Sovereign—a man, like his father, above that womanly feeling of indelicacy which his Ministers would have us entertain as his sentiment on this subject, and who looks not to false notions of delicacy or decorum, but to that course which would tend best to promote the happiness and welfare of his people. George 3rd, the moment he recovered from his illness, and became sensible of the necessity of taking such a course, the moment his attention was drawn to the caducity of human life—that moment he took measures to avoid the recurrence of such a dangerous conjunction of circumstances. What happened then may happen again, but the country may not have the good fortune to escape so easily from the consequences of its neglect. I have now discharged my duty to the Throne and to the country. I am about to return, with my fellow Representatives, into the great body of the subjects of the Crown, and we may not meet—certainly we cannot all meet again in the same place. Do not, I implore you, let it be said that you were, as a body, inattentive to the great duty which was imposed on you. Do not let it be said, that you employed yourselves in considering the question of providing beer for the rabble, and that you were indifferent to those more vitally pressing subjects, which are dependent on the settlement of the Crown. I am told, however, we should have confidence in his Majesty's Ministers. So says one county Member of this House. I never knew the time when, many a county Member was not ready to leap up and say much the same thing. An eloquent and enlightened Member of the House, now no more, has recorded the opinions of the county Members of his day on that subject, and certainly their confidence does not seem to have suffered much diminution since. He said, I think, that if the Thames was blockaded, and Plymouth had fallen, and Portsmouth was besieged, and London was the only place that still held out, there were abundance of county Members who would have as much confidence in the Ministry as ever; and worthy Aldermen who could sleep even sounder than ever, under the full security that the Ministers deserved the trust which had been reposed in them. I have no distrust of the noble person now at the head of the Government. I disavow in the most solemn manner all imputation of mixing up anything arising from personal considerations in the discussion. When I call on the House to address the Crown to take measures to provide against those chances which may produce the calamitous results I have described, it is not that I harbour any distrust of the motives of that noble person; that I wish to cast even the shadow of a shade of suspicion on his character, or that, by neglecting to take those steps which I consider so imperiously called for, I would insinuate that his noble nature, or his tried honour and public virtue, could think of compassing anything treacherous to the Constitution of his country. I acquit him of all intent or conception of that kind. His public services are my guarantee for the integrity of his conduct. His civil services, for which this country—and, above all, regenerated

Ireland—owe him so much—for which posterity will bless his name, and which place him higher on the record of fame than the victories of Waterloo or of Salamanca. They are my pledges for the purity of his motives; but I am here to represent the people of this country—I am here as one of the Commons of England to distrust and to watch Ministers, because they are the public servants of the Crown—to know no difference between man and man in that capacity, but to take all the security I can obtain against even the principles of the Constitution, or the rights and privileges of the people, being endangered. What I dread is, the possibility of the occurrence of the dilemma of a disputed succession, or the evils which flow from the succession of an infant Sovereign; and it is no answer to me to be told, that the oaths may be administered to us by the Lord Steward in the same manner as they have been administered to us now; and that we shall have the same facility of proceeding to the discussion of public business. It is not the taking of the oaths by a new Parliament that affrights me; I am terrified at the prospect of the occurrence of such circumstances as would render it necessary for the Crown to accept the services of the remnant of this Parliament; and to see those who may be rejected as unworthy by their constituents, called on to assist in the settlement of a question, the most important which can be submitted to the Representatives of the people of this country; a question which involves the integrity of the Throne itself. In such a conjuncture of affairs, we shall be a Convention and not a Parliament, without a Sovereign on the Throne to give a veto on our proceedings, or to direct the measures of the Government. Sir, the right hon. Secretary would reconcile us to the delay, by an argument which, much as I have been accustomed to fallacy, seemed more fallacious and more sophistical than any argument I ever heard in the House, though the right hon. Gentleman seemed to exult in it as a complete triumph over all his opponents. The right hon. Gentleman asserted, that if any defect should occur in the sovereign power of the State, for which it might be necessary to provide a remedy, that the Constitution gave to Parliament itself the power of providing such a remedy in a constitutional manner, and he referred to the instance of the abdication of James 2nd, when Parliament voted the throne abdicated, and gave the Crown to a foreigner. Good God! is this the precedent which we are to have quoted for the ordinary course of the Constitution? Are we to refer for a constitutional precedent, in a case like the present, to an act of revolution which changed the dynasty and the order of succession? Are we to recur to the Convention Parliament of that period for the precedent by which we are to be guided on this occasion? That is not the way in which I should recommend the House to proceed, nor is it to guard against such an evil as occurred at the time of the Revolution that I am desirous to provide a remedy. I am anxious to provide a remedy against that evil, to the possible occurrence of which every individual in the country is fully alive. My fears are derived from the apprehension of seeing the two Houses of Parliament with an empty Throne, and competitors fiercely contesting their right to the succession, without any authority in the empire able to crush rebellion, and to stand up for the rights of the law. There are many great evils in an hereditary monarchy, there are many grievous burthens to which it subjects us, and there are many sound political principles to which it is opposed; but it has one great redeeming feature, which reconciles me to it, and would reconcile me even were its faults still greater and more numerous—it renders the succession to the Throne certain, and provides in that way an effectual remedy for those evils which could never be thought of without horror—the evils of civil war; a state of things where all life dies, where death alone lives, and all combines to introduce mischiefs abominable and unutterable, such as fable never feigned or imagination devised. And it is to guard against such a risk that I call on the House to decide in favour of the Motion—to which I give my most cordial support, both as a faithful Representative of the people and a loyal subject of the King.

Mr. *Doherty* opposed the Motion, not only on the ground of delicacy of feeling, but because the subject could be much better discussed some months hence. He contended that the country was in a much more difficult situation after the marriage of George 3rd, and before the birth of the Prince of Wales, and that if the Parliament then thought there was no occasion for a Regency, it appeared to him that there was no necessity for addressing the Crown on that subject at present.

Mr. *R. Grant* replied. He utterly disclaimed, as he had done at the outset, the imputation of having introduced this Motion through party or factious motives. The propriety of discussing and settling such a question now, had been enforced in those organs from which they usually collected the public opinion, and more particularly in one of them, which was generally regarded as the one most in possession of the confidence and sentiments of Ministers, and indeed he understood, upon good authority, though he did not mean to say that it was official authority, that up to two or three days after the accession of his present Majesty, Ministers had been determined to bring the question forward in the present Parliament. He should persist in his Motion.

The House divided; For the Motion 93; Against it 247—Majority against it 154.

LIBEL LAW AMENDMENT BILL.] On the Motion of the Attorney General, the House resolved itself into a committee on this Bill. In the committee several clauses were agreed to. On the clause respecting the amount of the bond to be required of newspaper proprietors being read,

Lord *Morpeth* said, he rose, pursuant to the notice he had given, to move an Amendment to this clause. By the 60th of George 3rd, a publisher of a newspaper was obliged to give security in London to the amount of 300*l.*, and in the country to the amount of 200*l.* The clause of the Bill then under discussion said,—"And whereas it is expedient to increase the amount of such recognizances and bonds, and to extend the same, for the purpose of securing the payment of damages and costs, that may be incurred by actions at law, for libels published in such newspapers, pamphlets, or other papers aforesaid: be it therefore enacted, that the amount of such recognizances and bonds, in all cases whenever it shall be hereafter necessary, according to the provisions of the said Act, to enter into any new recognizance or bond, shall be extended to the sum of 400*l.* for the principal, and the like sum for the sureties in any such new recognizances, and the sum of 300*l.* for the principal, and the like sum for the sureties in any such new bond." That was an addition of 100*l.* to the amount now required, and it was this addition to the present obligations of the Press that he wished to prevent. He could not recognize the grounds of expediency upon which it was proposed to be made. Was it the general state of the Press that could induce the Attorney General to propose it? The security required by the 60th George 3rd, was originally directed against blasphemous and seditious libels, and surely it was not with reference to the prevalence of such libels now, that this additional 100*l.* was required. Instead of being as heretofore, almost entirely devoted to party politics of the most violent description, the periodical press was now used as the channel for conveying useful practical knowledge, and was, generally speaking, in the hands of men of science and education. With reference to private libels, disturbing the peace of families, and injuring private character, he was ready to admit that they could not be too much reprobated; but he doubted whether a person determined to carry on slander as a trade, would be prevented from doing so by the addition of 100*l.* to his sureties, whilst that addition might stand in the way of those who, with good intentions and abilities, might not have such a command of money, or of friends, as to make this additional obligation not a burthen. In fact, it might possibly prevent many persons, not in affluent circumstances, but otherwise properly qualified, from embarking their talents in the Press. His chief objection, indeed, to this clause was the sort of monopoly it would give, in a field where no monopoly ought to be allowed—that of intellectual exertion. He did not mean to defend the abuses of the Press, but surely they were already sufficiently guarded against. The law and the Courts were open to all complainants, and a retrospect of what had happened of late years must be sufficient to convince every hon. Member that the present powers of the law were sufficient to punish, nay absolutely to ruin, any man who might abuse the freedom of the Press. Upon examination it would be seen, that no newspaper could stand a series of prosecutions; so that a proprietor, who had embarked in a course of slander, must either desist, or have his property annihilated. That was the case with respect to a paper called the *Palladium*, which was suppressed by the prosecutions that were instituted against it. That was also the case more recently of the *Morning Journal*, which was suppressed by prosecutions. He did not think it necessary to oppose those provisions of the Bill which extended this security, now rendered available to the satisfaction of public fines, and to the payment of damages in cases of actions for private slander. With respect, however, to that provision of the Bill, of which he had been speaking, he trusted that the House would not signalize the new reign by agreeing to anything so unfair and injudicious. He begged to move, therefore, that the words imposing the additional penalty be omitted.

The *Attorney General* said, he should be most happy if he were able to agree with the noble Lord; but he thought that the statement of a few facts would convince the noble Lord that he had good grounds for declining so to do. The law required, that the name of the editor or publisher of a newspaper should be entered at the Stamp-office, in order that some person might be found who should be answerable for anything that might appear in the newspaper: a practice, however, had arisen, to give in the name at the Stamp-office of some individual without property, who was liable for all prosecutions, and who, if damages were awarded against him, was content, for a small sum, to go into the King's Bench, whilst the party who really profitted by the libel continued to carry on his trade. He would illustrate his meaning by an example. There was a newspaper, called the *Age*, which some time ago was conducted by a person named Richards. No less than sixteen prosecutions were instituted against the paper, most of them actions for libel. He had conducted one of those prosecutions, and on that occasion Richards found it necessary to exonerate certain gentlemen who were suspected of being proprietors of the paper, and in the affidavit he made for that purpose, a letter to a friend, stating the views with which the paper was started, was incorporated. From that it appeared, that the object of the conductors was to raise it into notoriety, as the *John Bull* had been raised, by the publication of libels, and afterwards it was to be used as a political engine. Their first object they accomplished, and the result was, the sixteen proceedings he had already mentioned. Damages were given in the greater part of them, but not one farthing did the injured parties ever obtain, the person whose name was entered at the Stamp-office being pennyless. He need not mention names, but in one instance a poor woman was put forward as the ostensible owner of the paper, by which not only the real proprietors of the paper escaped unpunished but their instrument also; for there were few men with the common feelings of humanity, who would allow a woman, placed in such circumstances, to lie in prison. With respect to the *Morning Journal*, it was an error to suppose that the prosecutions spoken of injured it, for the fact was, that the principal proprietor, during the later prosecutions, was a beggar, a man of no substance whatever, and prior to those prosecutions, an action had been brought against him for a private libel, and not one farthing of the damages (250*l.* he believed), given against him, was ever paid. All that he wished, therefore, to insert this clause for was, that parties who were libelled might find a fund from which to receive the damages awarded them. With respect to the liberty of the Press, as long as juries existed it was in safe hands; and the additional 100*l.* was not so large a sum as to render it difficult for a man of a character fit to conduct a paper, to find security to the amount required.

Mr. *Edward Davenport* was of opinion, that the law already afforded a remedy for the evils of which the Attorney General complained. Perhaps, as the learned Gentleman said, it might be sometimes difficult to find the really offending party, but were there not always the types which might be seized? Where then was the necessity of placing additional impediments in the way of the establishment of newspapers. The fact was, however, that all the shackles chiefly affected the liberal part of the Press, whilst they would be perfectly inoperative as regarded that part which furthered the views of Government. He had had some experience on that point, and he knew that the greatest difficulty of setting up a paper, on what are called liberal principles, arose from the amount of security required. The whole system, however, of compelling the finding of security against a wrong which might never be committed, and which it might never be intended to commit, was an innovation on the principles of the Constitution—an innovation, the further extension of which he meant to resist to the utmost of his power.

Mr. *Hume* agreed with his hon. friend. If there could exist a doubt on the subject, the recent abortive attempts on the liberty of the Press by the Whig Attorney General showed where the latitude of interpretation should lie. That hon. and learned Gentleman had shown his *animus* against the Press—had shown, that if the Press were within his power, it should not, under a certain penalty, speak sentiments not in harmony with his own. There had been great animosity shewn against freedom of discussion by the Whig Attorney General, and he should oppose the present Bill at every stage, counting on the support of the House.

The Committee then divided—For Lord Morpeth's Amendment 27; Against it 21.

List of the Majority.

Althorp, Lord
Brougham, Henry
Buller, Chas.
Bentinck, Lord G.
Cave, Otway
Clements, Lord
Davenport, E.
Dawson, A.
Dundas, Sir R.
Graham, Sir J.
Hume, J.
Jephson, C. D. O.
Lambert, G. S.
Monck, J. B.
Maule, Hon. W.
Martin, John
Palmer, C. F.
Pryse, Pryse
Powlet, Lord Wm.
Ponsonby, Hon. J.
Rice, T. S.
Sibthorp, Colonel
Smith, V.
Vyvyan, Sir R.
Warburton, H.
Ward, Charles
Wilson, Sir R.

TELLER.

Morpeth, Lord

PAIRED OFF.

Maxwell, —

HOUSE OF LORDS.

Wednesday, July 7.

MINUTES.] The Army Pensions, the Common Law Fees, and the County Rates (Ireland) Bill, were read a second time.

Petitions presented. By Lord CARBERY, from the Inhabitants of Cork, for the abolition of Colonial Slavery. By the Marquis of LANSDOWN, from the Inhabitants of Bishopsgate, and certain Dissenters at Walworth, for the abolition of Death for Forgery; and from Wm. Parker, for means to facilitate the Emigration of the Poor from Ireland.

HOUSE OF COMMONS,

Wednesday, July 7.

MINUTES.] The Sugar Duties Bill, and the West-India Spirit Bill, were read a third time and passed.

Petitions presented. Against the Stamp and Spirit Duties (Ireland), by Mr. WESTENRA, from Monaghan; for the remission of the Duty on certain Starch consumed by fire, from Mr. G. Todd, of Barton-upon-Humber.

MAURITIUS—PETITION OF M. DELAVALLEE.] Mr. *Hobhouse* presented a Petition from Louis Denis Lehent Delavallee, of France, who had been a resident of Port Louis, where he practised as an advocate, stating that he had been falsely charged with writing a placard, tending to excite the black population against the white. Upon this charge he was brought to trial, and notwithstanding that he was fully acquitted, the governor at the Mauritius (Sir Charles Colville), banished him from that colony, at the moment when he was endeavouring to obtain redress, and bring to punishment those who had falsely accused him. He was passed from one Island to another, and kept in a state of great distress and privation, during a period of seven months. At length he was permitted to return to Europe, and he now claimed that redress to which he conceived the injury he had sustained entitled him.

Sir *G. Murray* said, though entitled to some consideration, both as a foreigner and one claiming the protection of the House, yet, when it was known that he demanded indemnity to the amount of 20,000*l.*, they must feel that such a sum was more than could be expected to be granted to mere feelings of humanity. He should have no objection to agree to giving the petitioner such a sum as would enable him to return to his native country, provided it was not to be considered in the nature of a bribe to procure his silence respecting the Colonial Authorities.

The Petition to lie on the Table.

COURTS OF LAW AT WESTMINSTER.] Mr. *Brougham* presented a Petition from the Attornies practising in the Superior Courts of Law at Westminster, and the Solicitors practising in the Court of Chancery. It was signed by no fewer than 250 members of that important branch of the profession, including all the more eminent practitioners resident in the metropolis. They complained of the impediments which they had to encounter in the conduct of their business, from the extreme want of accommodation in the Court of King's Bench, the favorite resort of suitors. They stated, that not more than twenty Attorneys could be accommodated at one time; that they did not possess that ready access to Counsel which the interests of their clients demanded; and that very great injury to them and to the public arose from those circumstances. He further added, that there was very imperfect accommodation for the Bar, and almost none at all for the public, or for Law Students.

The Attorney General supported the prayer of the petition, and bore testimony to the want of accommodation.

Mr. Ewart, Mr. Warburton, the Solicitor General, and several hon. Members concurred in the necessity of having considerable alterations made, or of having a new Court erected.

The *Chancellor of the Exchequer* defended the Government from any imputations of having caused the inconvenience complained of. The matter, however, was deserving of consideration, and should be inquired into.

NEGOTIATIONS WITH THE UNITED STATES.] On the Motion for the House to resolve itself into a Committee on the Consolidated Fund Act,

Mr. *Robinson* inquired whether the negotiations at present in progress between our Government and the United States, respecting the intercourse with the Canadas had been brought to a conclusion?

Sir *R. Peel* said, that negotiations were yet pending, they not having been brought to a final conclusion.

OPENING INTO ST. JAMES'S PARK.] Mr. *Hobhouse* inquired if it was the intention of his Majesty's Government to afford the public the convenience they so much desired; namely, an opening from Carlton-house-place into St. James's Park?

The *Chancellor of the Exchequer* had a most satisfactory answer to give the hon. Member. He had received his Majesty's command to have plans made out for the passage, and as soon as they were completed it should be opened.

Mr. *Hume* thanked his Majesty's Government for their concession in this instance to the popular wish.

Sir *R. Peel* said, his Majesty's Government took no credit to themselves for this concession. It was the spontaneous act of his Majesty himself, unsuggested by any of his Ministers.

CONSOLIDATED FUND APPROPRIATION BILL.] Instruction to receive a clause of Appropriation having been agreed to, the House resolved itself into a Committee on the Consolidated Fund Bill.

Mr. *Hume* said, that as that was the last time he should have an opportunity of speaking, during that Session, on the subject of the Supplies, he wished then to say a few words. He had found that it was really in the power of the people of England to send a majority to that House, independent of the Boroughmongers and the Administration. The counties, if they did their duty, had the right and the power to complain of taxation, for they were independent, and could return eighty Members to Parliament, all of whom ought to vote for their constituents, and not back the Ministers; but instead of eighty there were only fifteen who pursued this line of conduct. From Wales there were twenty-three Members returned by the popular voice; In England sixty-four Members were elected by the freemen of boroughs, who, if they acted honourably, would choose independent Members; fifty-three Members were returned by scot and lot. In their case, it appeared, there could not well be a more extensive suffrage; and, therefore, if they returned honest and independent men, the greatest benefits might be effected for the country. He found, too, that twenty-seven Members were returned by freemen, who were also householders, and who, if not corrupt, would elect honest Members. Besides, there were sixteen Members returned by resident freemen, and six by pot-wallopers. In Ireland there were seventy-five Members who might be returned independent of all Government or private influence, thus making a total of 369 Members, who were in a condition, if they were honest men, to do their duty, and support all measures of real economy. He contended accordingly, that if at the next election the electors would only do their duty, they would get a House of Commons pledged to revise the financial arrangements of the country; and were they to set seriously to work, he had no doubt they could reduce the public expenditure from fifty-four to forty-four millions annually. And as to the Government, if it did its duty, it would have no reason to be afraid of a House so constituted. He had himself seen, during the Session, that on many occasions Ministers were trammelled when they themselves brought forward good measures, by threats of boroughmongers, who sent down their six or eight Members to counteract the designs of the Administration. This had occurred in the case of the Beer bill, and several other measures, in which Government was in great danger of being left in a minority. For this he considered there were two causes—1st, That Government was controlled by the boroughmongers; 2ndly, That the people of England sold themselves to some third party, who, in return, sold them to the Government. It had been said, that no honest man could be Minister of this great empire; but he hoped the time had arrived when it was no longer necessary that a Minister should be a rogue. He expressed, perhaps, too favourable an opinion of the House of Commons in saying this; but the fact was, that they who complained of taxation, and the malversation of Ministers, had their remedy in their own hands if they only chose to do their duty. And if hereafter they did not do their duty, they would be undeserving of pity. Adverting to Scotland, he stated, that out of the forty-five returned, there were only five independent Members; but if that country had the semblance of a free representation, instead of five or six, there would be forty independent Members. And he hoped that when the noble Duke at the head of the Government felt himself stung, as he was on all sides, by the Aristocracy, he would decide upon the expediency of giving increased power to the people, from whom he could alone expect support. This principle might be most beneficially extended to Scotland, for what was now the state of her representation? Where did they find her Members but backing Ministers for whatever they could get from the Treasury, and never regarding measures, but simply the quarter from which they emanated? Again, as to the Irish Members, they were just as bad. Whenever any important question was brought forward, they were either out of the way or backing Ministers. He hoped that the useless employments which now enabled Ministers to swell their majorities, would be discontinued. He trusted that after this day his Majesty and his Majesty's Ministers would only adopt measures calculated to meet the wants of the people. If the Ministers would but do that, they would have an easy line of conduct to pursue—they would no longer be in doubt whether they should be in a majority or minority—a matter on which, upon many occasions in this Session, he had been unable to form an opinion until the event took place. In him that inability had only excited curiosity, but in the right hon. Gentlemen opposite, and especially in the leader of the House of Commons, a doubt must have given rise to very different feelings. He advised that right hon. Gentleman, for the prevention of the recurrence of such scenes, to throw himself back on the people. He hoped, that the people themselves would demand an account of the stewardship of many of their Members, and especially of the Representatives of counties. He hoped and trusted, too, that all of them would be called to account, and that those who had not well conducted themselves would be visited for their misconduct, so as to be a lesson to those who might succeed them. He expected better times, when many of those difficulties which now surrounded us, and of those gloomy anticipations which now oppressed us, would be removed, to give way to brighter and better prospects. He trusted, too, that the situations of the Ministry would be well filled. There were many good men now among them, but better there might be, and better he hoped to see. For instance, the right hon. Gentleman had had on his single shoulders the whole burthen of parliamentary duty for some time past. He hoped that the different parts of the business of the House would be carried on more effectively than they had been, so that they might never again see a bill three times reported, and then abandoned, whether that bill related to the reform of the laws or to the duties levied by the Customs. For himself he was a friend to the removal of monopolies, which, in his opinion, checked the exertions and wasted the industry of the country. Without such an oppression on the energy of the country, he believed that it was sufficiently able to meet all contingencies—that is, all proper contingencies. He hoped that in the new Parliament, things would be better for the people, and that they would reap the benefits of the change; and finally, he desired to see that the constituents, judging by the past of the merits of their respective Representatives, would, in future, only intrust their interests to those whose former good conduct had given the best pledge of the propriety of their future behaviour.

Sir *R. Peel* had listened with the utmost attention to the recipe given by the hon. Member for securing those large and overwhelming majorities by which he seemed to think the Government ought to be supported. The hon. Member had truly stated, that the Government often laboured under difficulties in bringing forward many of those measures by which the public interest was to be promoted. There were individual interests which were often opposed, and but too powerfully, to such measures. Notwithstanding the exhortations of the hon. Gentleman, he believed it would be found, that constituents were always ready to assert their particular interests, and that as they looked to that interest their Representatives consulted their own by obeying the wishes of those who sent them there. The Government had often, during the present Session, proposed measures, the adoption of which they supposed would promote the public interest—the Sale of Beer bill was one of the instances he might select. Conceiving it desirable to destroy a monopoly in a necessary article of life, the Government had brought forward that measure, but it did happen that there were hon. Gentlemen who, though they declared that they agreed with the principle of the bill, yet met the bill itself with a most decided opposition. Such hon. Gentlemen laid it down as a general principle, that individual interest ought always to be sacrificed to the public welfare; but when the principle was to be applied to themselves, they manifested a strange dislike to its operation. They declared at one time that they would give their unhesitating support to any measure for the public benefit, but then they felt some nicely scrupulous doubts as to what measures were likely to be for the public benefit. This was a practical instance of the difficulty of disregarding those vested rights which in argument were passed over, but which in practice it was often necessary to attend to, as the observance of them would conciliate a powerful body; hon. Gentlemen, with respect to such rights, looked to the poll, and giving their support to vested interests, thus maintained monopolies. The hon. Member, however, forgetting all these things, had taken the opportunity, on the eve of a General Election, of issuing his exhortations to the constituency. He seemed to be relieved from all anxiety as to his own return, and manifested more interest than an individual generally showed at such a period for the event of the General Election. He had no doubt that the hon. Member was actuated by a sincere desire to promote what, in his opinion, was the cause of public interest; and he hoped to see the hon. Member in the next Parliament swelling that large majority by which in his opinion, the Government ought to be supported.

Mr. *Hobhouse* was afraid that the supposition of the hon. Member, as to the power of the electors in this country returning a majority to Parliament, if their Representatives were fairly chosen, was not well founded. Persons, for instance, who were returned by non-resident freemen could not be independent, since they must provide for the conveyance of those electors, whose indigence did not enable them to come to the poll. He believed, indeed, that he might defy the hon. Member to show, that even if the electors did their duty, that House would fairly represent the opinions of the country.

The clause agreed to, and the House resumed,

ADMINISTRATION OF JUSTICE — JUDGE'S SALARIES.] The Administration of Justice Bill was read a third time. On the Motion that the Bill do pass,

Mr. *Hume* moved, "that 4,500*l.* instead of 5,000*l.* should be the yearly salary of the new Puisne Judges." The reason why he proposed this was, that 5,500*l.*, the present salary of the Puisne Judges, was, with justice, considered extravagant; and since that arrangement was made, an unanimous Address had been presented by that House to the Crown, praying that there should be a reduction of the salaries of officers in every department, according to the increase in the value of money. Considering that increase, he thought that the sum of 4,500*l.* was quite salary enough for a Judge, and he trusted that the right hon. Gentleman opposite would not think that he had acted unfairly in alluding to the Address of the House, nor in taking it as one of the grounds on which he supported his Motion.

Sir *Robert Peel* observed, that his Majesty's Government, in considering the salaries of the Judges, thought that the public service would be best consulted by reducing them from 5,500*l.* to 5,000*l.* a year. This the Government did spontaneously, and although it was met by the difficulty of having to retrace its steps, yet it was done for the good of the public; and if the Government had thought 4,500*l.* would have been more advantageous than 5,000*l.* with reference to the public service, it would have brought forward a proposal to that effect. The public had an interest in the perfect administration of justice, of infinitely greater consequence than the trifling difference of 3,000*l.* or 4,000*l.* a year. The dignity and integrity of the Bench was of such vast importance, that such a salary must be given as would induce eminent men to abandon their practice at the Bar. He was of opinion, that 4,500*l.* a year, considered with reference to the emoluments derived from extensive practice at the Bar, could not be considered more than an adequate inducement to a gentleman to abandon that practice. He doubted much whether such a reduction as the hon. Member proposed, would be productive of good, and, even if that were certain, he should doubt the propriety of the mode now suggested of effecting it: for it was proposed that three new Judges should be appointed, and these three Judges were to have salaries lower than all the others. This would mark the new appointment with a kind of inferiority, which would be productive of bad consequences. The Government proposed, that of all future Judges the salary should be 5,000*l.* a year; and if there had not been vested interests to contend with, they would have proposed at once to reduce the salaries of the Judges to that amount. Certain vested interests, however, stood in the way, so that Government could not effect that object. He thought, therefore, that if the hon. member for Aberdeen would give notice of his intention to propose a measure next year that would apply to the whole Bench, that would be much better than now to press a motion limited to the three new Judges. On these grounds he could not give his assent to the Amendment proposed by the hon. Gentleman.

Mr. *Benett* observed, that if the right hon. Secretary agreed that all the Puisne Judges hereafter were to have but 5,000*l.* a year, instead of 5,500*l.*, he saw no greater difficulty or delicacy, or mark of inferiority in proposing 4,500*l.*, instead of the other sum, that is, if it be admitted that 4,500*l.* a-year will be a sufficient remuneration to those gentlemen who shall be appointed Judges. In his opinion it was quite enough, and he should therefore support the Amendment.

The *Attorney General* hoped that he might be considered impartial in any opinion he might give upon this point; and he could safely say, from a tolerably long experience, that the best men at the Bar, and those most fit for the efficient administration of justice, could not be had for 4,500*l.* a year. With 5,000*l.* a year there would be a greater probability of securing efficient Judges than with the sum proposed by the hon. member for Aberdeen, and he was satisfied that 4,500*l.* would not be sufficient for the purpose. Time was when 3,000*l.* a year would have been sufficient, and when a Judge could keep his four horses, and go round the circuit with them, on that sum; but that was not now the case. When he went to the Bar all did so; but now things were so changed, that, through motives of economy, post horses were employed, and no Judge now took his own horses on circuit.

After a short conversation, the House divided—For Mr. Hume's Amendment 11; Against it 37—Majority 26.

List of the Majority.

Acland, Sir Thomas
Arbuthnot, Rt. Hn. C.
Batley, C. H.
Belgrave, Lord
Cocks, James
Callaghan, D.
Courtenay, T. P.
Coote, Sir Charles
Cockburn, Sir G.
Calcraft, Rt. Hon. J.
Doherty, J.
French, Colonel
Fane, Lt.-gen. Sir H.
Fitzgerald, Rt. Hn. M.
Grant, Sir Alex.
Greene, Thomas
Gilbert, Davies
Goulburn, Rt. Hon. H.
Herries, Rt. Hon. C.
Irving, John
Moore, George
Murray, Rt. Hn. Sir G.
Nicholl, Sir John
Peel, Sir Robert
Phillimore, Dr.
Powlett, Lord Wm.
Prendergast, M. G.
Robinson, G. R.
Rae, Sir William
Spencer, George
Stewart, Sir M. S.
Scarlett, Sir James
Smith, Vernon
Sibthorp, Colonel
Somerset, Lord Ed.
Thompson, G. L.
Wilson, Colonel

TELLERS.

Planta, Joseph
Twiss, Horace

List of the Minority.

Davenport, E.
Easthope, John
Heathcote, G. J.
Hobhouse, J. C.
Lennard, Thos. B.
Monck, J. B.
Maule, Hon. W.
Trant, H.
Rice, T. S.
Warburton, H.
Western, C. C.

TELLERS.

Hume, Joseph
Benett, John

HOUSE OF LORDS.

Thursday, July 8.

MINUTES.] The Customs Duties (Crown Goods), the Administration of Justice, the Spirit Duties, the Sugar Duties, and the West-India Spirit Duties Bills, were brought up from the Commons. The Fees Abolition Bill, and the Treasurer of the Navy Bill, were read a second time.

Petitions presented. Against the Sale of Beer Bill, by Lord SKELMERSDALE, from the Publicans of Manchester, Salford, and Bury:—From the Magistrates and Clergy of Blackburn, by the Duke of RICHMOND, from the Publicans of East Retford, of Saint Botolph, Aldersgate, and of Eynsford:—By the Earl of MALMESBURY, from the Clergy and Magistrates of Saint Luke, Middlesex, and of Birmingham; from the Common Brewers and Publicans of Wigan, Warrington, Reading, Runcorn, Newton, Winwick with Croft, and Birmingham. By the Marquis CAMDEN, from the Overseers of Greenwich, complaining that Greenwich Hospital did not pay Poor-rates enough. Against the Amendments in the Galway Town Franchise Bill, by the Earl of ELDON, from John Moore. Against the Court of Session Bill, by the Earl of LAUDERDALE, from the Judges of the Supreme Consistorial Court of Scotland.

FINANCES OF THE COUNTRY.] On the Motion that the House resolve itself into a Committee on the Sale of Beer Bill,

Viscount *Goderich* rose to make the statement on the subject of Finance, of which he gave notice on a former evening. In taking advantage of the Motion for going into a Committee on the Bill then before the House, in order to ask for information, and to offer some remarks on the financial condition of the country, the noble Viscount observed he was not adopting a course quite unprecedented, nor was the subject of his observations so much disconnected with that before the House as some persons might suppose. The Bill on which their Lordships were asked to go into a committee was not, it was true, immediately a financial measure; but it was connected with a series of bills which had an important bearing on the question of finance, and which would in their operation materially affect the income and expenditure of the country. On this account, therefore, he availed himself of the Motion for a Committee on the Bill, to ask the noble Duke at the head of the Government a few questions with respect to the present state and future prospects of the country, and to make a few remarks on the general financial statements laid before them. At a very early period of the Session, he had taken the liberty to point out to the House the real state of the income of the country, and the probable surplus of that income over the expenditure; and he had also taken the liberty to show in what manner he thought relief might be afforded, so as to give the greatest possible immediate ease, and at the same time lay the foundation of most permanent good. In doing this, he had proceeded on the assumption, that there was a surplus of income over expenditure, in the two years of 1828 and of 1829, to a certain extent; and that there would be, from the savings and reductions of the year 1830, a still further increase in this surplus. The whole of the surplus for the three years he had calculated at 3,700,000*l.*; that is, he had assumed the surplus of the two years of 1828 and 1829, to be about 2,400,000*l.*; and learning from the noble Duke that the reductions of the present year on the estimates would make a saving of about 1,300,000*l.* he thought he was fully justified in taking the whole sum to be as he had stated. In consequence, however, of what fell from him on that occasion, the noble Duke at the head of the Government rose and declared that the statement respecting the extent of the surplus was quite erroneous, and that they could not calculate on any sum beyond 1,500,000*l.*, or 1,600,000*l.* He (Lord Goderich) confessed he did not at the time very clearly understand the grounds on which the noble Duke came to that conclusion; and he remained, notwithstanding the statements of the noble Duke, clearly of opinion, that the principles which he wished to apply to the reduction of the burthens of the country could be applied with safety, and that the country might be relieved from some portion of its taxation, without materially affecting the necessary income which the public service required. It was, therefore, it may be believed, with no little satisfaction, that he heard the Chancellor of the Exchequer had, in the course of three weeks after, gone down to the other House and proposed a reduction of taxes to the extent of more than three millions—an amount which, if the noble Duke's statement had been correct, would, in its reduction, have far exceeded anything he could have considered expedient with respect to the financial prospects of the country. It was, therefore, he repeated, with no little satisfaction that he became able, from the offer of reduction, to draw the conclusion that his views of the probable surplus were correct, and that the noble Duke had underrated its amount at the time he replied to his statements on the subject. Under these circumstances, he thought it necessary they should know how they stood, and before he concluded, he should take leave to ask the noble Duke one or two questions on that subject. He should first, however, with their Lordships' permission, make one or two observations on the financial statements to which the questions would refer. The amount of the reduction of duties announced by the Government was stated to be three millions, and this was made up of the abolition of the whole of the Leather-duties, of the Beer-duties, the Cider-duties, and of 3*s.* per cwt. of the Sugar-duties. On the abolition of the Leather-duties he had no observation to make, but that he thought it an exceedingly judicious one, and one, the propriety of which, he was happy to say, he had himself recommended, at the time he was connected with the Government. With respect to the abolition of the Beer-duties, although, God knew he was not one of those who grudged the class for whose benefit it was intended any of the advantages they might derive from it, and which he could not deny they would derive from it, yet, financially speaking, he was very much inclined to think that greater good might have been acquired for the Revenue, and greater general benefit obtained for all classes, if the sum appropriated to the abolition of the Beer-duties had been diffused over a greater variety of articles subject to heavy taxation. At the same time, he was fully aware of the advantages which might be urged in favour of the present plan over others, on account of getting rid of the expense of the machinery of collection and other causes, and he gave to them the weight they deserved. Whatever he might think of the policy of the arrangement, it would ill become him to offer any opposition to the measure at this period, or to refuse his assent to the completion of any plan which went to relieve the burthens of the people. Passing to the next article —Cider, he found it rested on the same ground precisely as the duty on beer, and he therefore came at once to the reduction of the duties on Sugar. He was ready to admit that the mode of reducing the duty on that article, which he understood to be proposed now, was much better than the plan recommended in a former part of the Session—a plan open to all possible objections which could be urged against any measure of finance or taxation. He was not, therefore, much surprised to find that it was abandoned, and that a scale of duties, scarcely intelligible in their terms —utterly impracticable as to execution, and in no degree able to produce the advantages to the Revenue which were anticipated from them, should have been re-considered, and that the Government had substituted for them the absolute reduction of three shillings a cwt. But although the substitute was better than the original plan, which had no merit at all, he must say, that it was not quite satisfactory to him, and that he very much doubted whether it would afford any relief to those for whose benefit it was intended. He was quite confident it would not benefit the consumer, because it was not possible that he could obtain any advantage from the mere fractional reduction it might make in the price. If, therefore, it did not benefit the consumer, it was not very likely to increase the consumption, and therefore it would not be of much advantage to the planter, who was the producer, and whose distresses it was mainly intended to relieve. What was the cause of his distress? "The low prices which his produce fetched in the market. But what, he might be asked was the cause of the low prices? He would answer 'the cheap rate at which sugar could be brought from the Brazils and some other countries to Europe. The increase in sugar had in fact been more rapid than the increase of consumption. Our own colonies furnished more than the country could consume. From the great abundance of the supply, a greater quantity of sugar was imported every year than was necessary for the home consumption; the surplus necessarily went to the foreign market where it came into competition with the sugar grown in the most fertile and highly-favoured countries of the world. The price at which the surplus was sold abroad necessarily regulated the price in the home market and thus the fall of price arose mainly from the supply of sugar being greater than the demand, in which case that which was brought to market at the least cost regulated the price of the whole. If, then, it was intended, as they had heard, to give the grower relief, it must be done by the increase of the consumption at home. The great diminution of the price of late years had, he was well aware, tended to increase that consumption; but then that increase had been effected at the expense of the planter who did not get a fair remuneration; and unless the consumption was to be greatly increased, so as to lead to a rise of price, which would then affect the consumer, the planter could not be benefitted. Nothing, therefore, could serve both planter and consumer except a reduction of duty—and a reduction so great as materially to increase the consumption at home. Whatever portion of the present reduction might fall to the retailer was another question, but to him it appeared plain that, as a measure of relief, the reduction of 3*s*. was nothing but delusion to the planter and to the consumer, and that it would, therefore, prove a great loss to the Revenue, without returning any of the advantages which were anticipated from the sacrifice. Declaring his conviction that the whole of the proceeding connected with this part of the reductions was most injudicious, he would go on to examine to what extent the other items of reduction were likely to affect the Revenue. It had been assumed that the Leather-duty was not more than 320,000*l.*; but in that calculation he believed that the Government was mistaken. In the year 1825 the Leather-duty was 350,000*l.* There was no reason to suppose it much less now; and he thought that those who calculated the probable loss had totally forgotten the amount paid for Ireland, which was something about 50,000*l.* On the whole, therefore, the Leather-duty might be now truly stated at 400,000*l.* The average of the last four years indeed would give that sum; because, although the duty was only 320,000*l.* last year, the average of a period of years was always a better criterion of the amount of taxes or duties than the produce of any particular year. In the same manner the duty on beer was taken to be only three millions. The average of four years gave an amount of 3,232,000*l.*, so that the total amount of taxes reduced might, he thought, be fairly stated, if they included the reduction of the duty on sugar, at something above 4,106,000*l.* A part of this loss of revenue was, however, to be met by an increased duty on Spirits. Speaking of that part of the subject, he must say, that he could not commend the original plan, which he was glad to know had been given up. The present plan, far from being an adoption of the original principle, was a complete subversion of the whole of the grounds on which it rested; and he confessed he should have been better satisfied, when that principle was departed from, if he had seen something adopted in its stead, not temporary and for a particular purpose, but permanent and likely to be maintained. When the principle on which the duty rested was overthrown, he thought this should have been the care of those who adopted a contrary course of action. Allowing then the new Spirit-duties to produce 650,000*l.* still the revenue which would be lost amounted to 3,456,000*l.*, or thereabouts. It was a very sanguine view of the case, however, which would warrant the calculation of 650,000*l.* for the new Spirit-duty. It was true that sixpence a gallon on the sale of last year would produce that sum; but then he had great doubts whether the addition of that sixpence would not tend much to increase that mischievous practice of smuggling, which the reduction of the original duty was mainly intended to put down, and which he believed it had put down, for the increased consumption of spirits, which appeared by the Excise Returns, having paid 26,000,000 gallons duty last year, was to be attributed to the falling-off in the consumption of contraband spirits. He confessed he thought the increase of the duty, after such proofs of the efficacy of the reduction, a very rash experiment; but he should feel very happy if his forebodings proved unfounded, and the Revenue should be benefitted without any permanent injury to the trade. Having said thus much, he would proceed to show that the surplus they had provided to meet this reduction was not adequate to the occasion; and in order to do so, it was necessary to see how it was made up. In the first place, there was 2,400,000*l.*, the admitted surplus of the two antecedent years. If they added to that 1,300,000*l.* saved by reductions in the year 1830, they would have 3,700,000*l.* If to this they added the sum obtained from the conversion of the four per cents, and which was 778,000*l.*, the whole of the surplus revenue to meet the reduction would be 4,478,000*l.* Now, supposing that no loss was sustained, and that the taxes realized the expectations of the Chancellor of the Exchequer, the total reduction of taxation would be 3,456,000*l.*, leaving a surplus Revenue of 1,022,000*l.* for the year 1830. Great difference of opinion he knew prevailed with respect to the amount of surplus which the country should have, and with respect to the application of it when it was obtained. He was not disposed at that moment to enter into the arguments to which these speculations might lead him; but he would ask, whether this surplus was not, financially speaking, too small? and whether it was really expedient to have only such a sum as might, perhaps, place the country in that perilous condition for a time of peace, of actually borrowing money, in order to make up the deficiencies of the yearly expenditure. Be that, however, as it might, he thought he was not asking too much when he desired at least to know from the noble Duke where they were. He wished to know from the noble Duke what ought to be the amount of the Revenue and Expenditure, what he expected it to be under the present circumstances, and what were the grounds of his expectations? These were the questions he intended to conclude by proposing, and they were the more necessary, as he feared that there was no chance of any re-appointment of the Finance Committee, whose reports contained, as far as they went, much valuable information with respect to the public income and expenditure. Much as that committee merited the public approbation, he feared there was no hope of its being revived; but judging from what the Government had already done, he thought it merited praise for the reductions it had effected. There were, however, only three ways by which any government could hope to increase the surplus Revenue. One of them, indeed, that founded on an increase of taxation, was not at that moment to be thought of. Of the two ways, then, which remained, the first was the practical revision of the whole system of taxation, and the mode in which it was distributed through all the channels of productive industry, establishing a system not regulated by circumstances or governed by expedients, but capable of bearing the test of solid argument, although it might not happen at the moment to fall in with the course of popular feeling. No man knew better than he did the value of popular feeling in support of any measure of government; but he thought that the taking up of any theory of taxation, or the reduction of taxation, to gratify such feelings, without a due consideration of the consequences likely to result from it, was calculated to produce most injurious results to the general welfare of the State. The other mode by which they might obtain a surplus was, to reduce the expenditure to a considerable extent. He would not enter into details on this subject, as he was aware that much had been done, but he did not know why reduction might not be carried further. At least he was persuaded, that unless these two objects were kept steadily in view; unless there was a revision of our system of taxation, and a continual exertion to reduce the expenditure, the country could not rise superior to the burthens which pressed upon it, its resources could not be drawn out, and no Administration could, either in this or the next Session of Parliament, obtain that degree of confidence from the nation which was necessary to enable it to conduct the affairs of the country. In conclusion, he would repeat the questions, to which he requested the noble Duke would give an answer. The first question to which he wished an answer was, whether the present Government looked to have a surplus Revenue? The second was, what, in their opinion, it amounted to during the last year? The third, what they conceived it likely to be? And the fourth, what were the grounds on which their estimates were framed.

The Duke of *Wellington*, in reply to the noble Viscount, admitted, as it was understood, that the noble Viscount had been more correct than himself in the financial statement he had formerly made. He was willing to do justice to the motives that induced the noble Viscount to make his present statement, which was intended to throw light on the subject, and promote the interests of the country. In respect, first, to the surplus of the Revenue during the present year, he must admit that it was less than he had stated that it would be at the commencement of the Session. He had then stated it from estimates which had been prepared; but it should be recollected, that the Government had been enabled to make very considerable reductions. Their Lordships knew that the Finance Committee had recommended that there should be a surplus of 3,000,000*l.* and he thought such a surplus very desirable; but their Lordships must be aware that the Revenue in this country was unsettled and uncertain. It depended on a variety of causes, some of which, such as the seasons, were very variable; and the consequence was, that with the same rate of taxation, the amount of Revenue was different in different years. From circumstances of this kind, he could not say that up to this time the surplus of this year had equalled 3,000,000*l.*, nor could he hold out a hope, unless there was an increase in the Revenue, that the amount of the surplus next year would be 3,000,000*l.* There was, and there would be, a considerable surplus; but the Revenue must improve very much before the amount of the surplus became equal to that recommended by the Finance Committee. It appeared, according to the estimates, that the expenditure for the present year would be, for the Funded Debt, the Unfunded Debt, the permanent charge for Pensions, Half-pay, &c., and the charge for the Army, the Navy, and the Ordnance, altogether 47,815,147*l.* The Revenue for the year the noble Duke stated at 50,480,000*l*, : being, for the Customs, 17,200,000*l.*; Excise, 19,300,000*l.*; Stamps, Post-office, &c., 13,700,000*l.*; Miscellaneous branches of Revenue, 280,000*l.* From this was to be deducted 700,000*l.*, for the loss of duty on Beer; 160,000*l.*, for the loss of the Leather-duty; and 155,000*l.*, on account of the Sugar-duties. Making together a sum of 1,015,000*l.*; leaving 49,465,000*l.* It was not, however, by looking at any one year, but by looking at the surplus of former years that we could form the most correct judgment of the probable surplus in future. In the year 1829, the surplus was 2,246,993*l.* The Expenditure of that year was 51,390,033*l.* At present the expenditure, in consequence of the great reductions which had been made, was 47,815,147*l.* The probable expenditure for the next year would be 46,515,147*l.* Under the circumstances of the country, the Government had been able to reduce the expenditure 2,500,000*l.* It had reduced the interest on the Funded Debt 800,000*l.*, and on the Unfunded Debt 128,000*l.* In three years the Government had reduced the expenditure 3,500,000*l.* That reduction had given the country a claim to a reduction of taxation; the Government had performed its engagements to the country, and had remitted taxation to the amount of 3,500,000*l.* He looked to the repeal of taxation to produce an increase of revenue from those taxes that remained, but there must be some difficulty in making the surplus equal to that recommended by the Finance Committee. He had, by these statements, answered the noble Viscount's questions. The Government had already reduced the expenditure 3,500,000*l.*, and had reduced the taxation to the same amount. He agreed with the noble Viscount, that it would be wise to revise the system of taxation—repealing such taxes as bore the heaviest on the people, and cost most in the collection. He agreed also with the noble Viscount, that the expenditure ought to be reduced; the Government had undertaken that task and would accomplish it. Much had been already done, but he entreated their Lordships to remember that the Army, the Navy, the Ordnance, and the Miscellaneous Services, were the only part of the expenditure which could be reduced, and they only amounted to 16,500,000*l.* Of these, 5,500,000*l.* went for half-pay and pensions, and could not be touched, leaving but little more than 11,000,000*l.* from which it was possible to make reductions. Under these circumstances, their Lordships would see that great further reductions could not be expected. As much had been, and would be done as possible. He knew that it was said, that great saving might be made in the Colonies, but the greater part of the expenditure now incurred in them was for convicts and troops—charges which this country was bound to bear. Independent of these expenses, the expense of the Civil Government of the Colonies was very inconsiderable.

Lord *King* said, that the source, he believed, of the different statements made by the noble Viscount and the noble Duke at the beginning of the Session was, that the former wished for the reduction of taxation, while the latter wished it not to be reduced. At the beginning of the Session the Government did not intend to reduce taxation, but before the end of the Session it had been compelled to make reductions. All the governments that he had seen had never reduced their expenditure till the falling-off of the Revenue compelled them. This year the Revenue had fallen off, and therefore the Government had reduced the taxation. Whether that reduction had been first proposed in the Cabinet or the Guard-room, he could not say, for, though a Minister might recommend the abolition of the duty on Beer, he was sure that if a corporal on guard were asked, he would say, "Oh, by all means, take off the Beer-tax." The noble Viscount had referred to the confusion and perplexity which existed in the measures of Government, but nothing worse could be said of them, than that they were impracticable. Elsewhere the measures proposed by the Government had been rejected, and there the Government itself had become a by-word. The noble Duke said, the Colonies were not a source of expense; but if the noble Duke would reduce the expenditure of the civil government of the Colonies, their revenues might be applied to military purposes, and that expense might be saved to this country. With respect to the Bill which was about to come before their Lordships, he entreated them not to oppose it, for if they stopped the Beer bill, they would throw out almost the only public bill which had been sent up to them this Session. If that should happen, he did not know what account the noble Duke would be able to render of his stewardship. If they did not allow that to pass too, he did not know what the Speaker of the other House could say when he came to the bar to hear the prorogation; but if their Lordships gave their consent to it, then Mr. Speaker might say, "Most gracious Sovereign, we, your Majesty's faithful Commons, have passed the Beer bill."

Their Lordships then resolved themselves into a Committee on the Beer Bill.

Upon the clause for permitting Beer to be drunk on the premises being read,

The Duke of *Richmond* rose to move the clause of which he had given notice. His Grace spoke to the following effect:—My Lords, in rising to propose that a clause should be added to the Bill, which now stands committed, it is necessary for me to state, in a few words, the grounds which have induced me to take this course. I am not in any respect hostile to the principle of this Bill; neither is it my intention, by any side-wind, to get rid of the measure altogether. Whatever might have been my predilections, had it been with me a matter of choice, whether we should have repealed this duty, or the duty on malt, I am, upon the whole, grateful for the relief in the shape it has been given. But whilst I support the principle of this Bill, I must acknowledge that I entertain insurmountable objections to many of its most important details. I wish to see every facility given to the poor man, not only to drink his beer cheap, but to drink it at home in the bosom of his family. There is no man more anxious than I am, at once to give to the poor man, at the cheapest rate, the luxury of a wholesome and cheering beverage at home, and to wean him from the bad habits and bad company of the public-house. With a view to obtain this object, we ought to proceed by very different means from those proposed in the Bill before the House. We ought, in my humble opinion, to give every freedom of sale which can contribute to the poor man's inducement or convenience in purchasing beer to carry to his own home; but I see every reason why we should refuse to multiply the number of public-houses, and the consequent inducement to the poor man to spend his time and his earnings in the pot-house, in preference to his own home. The doctrine which I am now holding is one of no new invention; it is one which, in the course of the last three centuries, has been, in England, continually acted upon and approved. It is one which, to say the least in its praise, has tolerably well answered the purposes of society for ages, and it seems to me, that we ought to be very cautious how we proceed to alter this, without some very strong grounds, or some very striking practical example of the better success of the new system proposed, to justify us in so great a revolution. But, my Lords, how stands this matter? The interests at issue are those of above 48,000 individuals and their families. The property to be sacrificed amounts to five millions sterling. Some paramount and overruling necessity, or some indubitable advantage to the public at large, ought to be made apparent before we consent to exact so severe a sacrifice. But, in my opinion, my Lords, we are proceeding on very insufficient grounds to inflict a certain injury, or, perhaps, even absolute ruin, on a very large class of individuals, upon a very speculative and doubtful advantage to the public. But, my Lords, so far as I am at present instructed, by the very limited evidence obtained through the other House of Parliament, and by that information to be gathered from the example of Scotland, it appears to me that the force of practice and experience is strongly against the probability of any advantage being derived, even to the public, by allowing the free sale of beer, to be consumed on the premises. We have it in the evidence of Mr. Bromley, that the trade of public-houses in Wapping is become exceedingly bad, through over-competition. He states that they stand too thick on the ground; the population of Wapping has much decreased; the number of public-houses remains the same as during the war. There are twelve public-houses in Wapping, supplied by ten different brewers. Competition, your Lordships will recollect, competition is the specific which is at once to amend the quality, and to lower the price of beer; yet in Wapping, where you have competition to its most ample extent, beer is neither better in quality, nor lower in price, than in any other part of the town. Again, we have it, in Mr. Alfred Head's evidence, that in the neighbourhood of Penryn, Truro, and Redruth, the trade in beer is practically free. And what is the consequence, my Lords? The consequence is, that beer is worse in quality, and higher in price, than in any other part of the empire. Then, in respect, to Scotland, Mr. Home Drummond, a Member of the other House of Parliament, states that the trade in beer is virtually free. Yet, my Lords, will any man contend that it is better or cheaper in Scotland than in England? The object of this Bill is, to increase the consumption of beer. In Scotland, under the practice proposed to be adopted here, beer is almost gone out of the consumption of the lower orders of the people. I will not detain you by quoting more of this evidence, as I trust none of your Lordships will vote, at all events, against my proposal, unless you have read the evidence. But I must take this opportunity of stating, that I cordially concur in opinion with the sentiments expressed by the noble Earl (Malmesbury), who spoke on the second reading, and stated his opinions that the evidence was very insufficient, and that, upon a question so much involving the morals and policy of the country, we ought not to be contented with the evidence of six or eight brewers, and six or eight publicans, and one Scotch Member of Parliament; but that there ought to have been examined some of the magistracy, some of the clergy, and some of the resident gentlemen of the country. This subject has frequently come under the consideration of the Legislature, but this is the first time that it has ever occurred to any Parliament to propose a fundamental alteration of the system. As recently as the year 1828, an Act was passed, founded on the deliberation of a committee of the other House, which sat for two whole Sessions. One universal opinion then prevailed, in which the Secretary of State for the Home Department, the Chancellor of the Exchequer, the Secretary of the Treasury, the Paymaster-general of the Forces, the introducer of the present Bill, together with a majority of the Members who took a part in the debates in question, with one accord approved of that system which you are now called upon to abolish. These gentlemen expatiated on the impolicy or impracticability of that which it is now proposed to you to adopt. These opinions, my Lords, let me observe, were given wholly distinct from the vested rights of the publicans; these opinions were unswayed by any desire to protect the interests of the publicans; but the more those declarations of State policy were made, independent of all consideration of the rights of property, the more forcibly they weighed with the publicans in the conviction of the immutability of the policy out of the long continuance of which their vested interests have grown. And, my Lords, let me remind you that, up to the year 1828, consistency of public conduct was ever considered as synonymous with the character and reputation of a Statesman. Up to that time, in the public mind, an acknowledged error in the internal policy of the country was only to be atoned for by a forfeiture of office. We had not then been accustomed to that vacillation of mind, to that inconsistency of public conduct which of late has so unhappily distinguished the Ministers of this country. Let, therefore, these unfortunate publicans not be accused of gambling speculations, or of culpable credulity, in embarking their property in rash enterprise, when they trusted in the declarations of his Majesty's Ministers. But now, my Lords, I much fear that these unfortunate men will bitterly rue the practical illustration of the truth and justice of Mr. Burke's saying, "that the evils of inconstancy and versatility are ten thousand times worse than those of obstinacy and the blindest prejudice." My Lords, consistently with those principles of conservation which, as a Tory, I early imbibed—consistently with those principles of conservation which I have always pursued, and will ever maintain—consistently with those principles of conservation which mark the country party to which it is my pride to belong—I do not think it too much if I implore your Lordships to adopt a clause calculated to spare the vested rights, and save from destruction the properties, of above 48,000 families, embarked upon the faith of the consistency of the Legislature—a clause calculated to protect the morals of the people, as well as to fortify the good government of the country. I shall, therefore, conclude by moving—"Provided always, and be it further enacted, that no person licensed to sell beer by retail, under this Act, shall sell any beer, ale, porter, or cider, to be drank or consumed upon the premises where sold, or in any shop, house, outhouse, yard, garden, orchard, or other place adjoining the same, or belonging to, or occupied by, the person taking out such license, or in which he shall have any interest or concern."

The Earl of *Falmouth* said, that he rose to confirm that part of the evidence contained in the report of the other House of Parliament, which related to Cornwall, and to which his friend the noble Duke had alluded. He could state, more particularly as to the Western part of the country, in which he resided, that there had been for some years a very sad experience of the effect of multiplying Beer-shops, which, though intended to benefit the labouring classes, had, by evading the law, in many instances become the lowest tippling-houses. Here, then, this catching argument made use of by the Government, namely, that the Bill before the House would give the comfort of good and cheap beer to the poor man's family, had been put to the test. There was no monopoly in those districts; the beer-trade had been so far free; many excellent and sensible neighbours of his had been advocates for licensing to sell beer by retail, under the Act of 1824, in the notion that it would be better, that it would be cheaper, that the poor would be advantaged by it. What had been the result? Precisely that stated in the evidence alluded to; it was still dearer, it was still worse, than in other counties; the poor man was in no way benefitted by the change; unless, indeed, attraction at almost every step to the lowest haunts of drunkenness and riot could be called his benefit. Those who had thought well of this change had for several years seen its evils, and heartily regretted, he believed, having given it their encouragement. Then as to the evidence which had been brought up from the House of Commons, he saw with surprise, that whilst the Bill was to effect a most serious change throughout the country, the evidence, with one or two exceptions, was confined to the brewers and publicans of London and Birmingham, and London Excisemen. As had been before observed, there certainly was one Member of Parliament examined, but he was a Scotch member, while the Bill referred solely to England and Wales. Why had not the country gentlemen been consulted? Men, who, like his noble friend (the Earl of Malmesbury), had spent so much of their useful lives in observing the habits of the labouring classes, and acquiring the best knowledge of all that regarded their comfort and their welfare? He saw a mass of questions about private gains, consumption, and revenue; he saw very little indeed about the moral effect of such a measure upon the habits of labouring men, especially that most valuable portion of the community, the agricultural peasantry. He declared that the report and evidence in question might justify the supposition that the opinions of the country gentlemen were purposely excluded, and that the whole object of the Bill was to patch up a failing revenue, in which, however, he thought its authors would be greatly disappointed. But if he had been surprised at the testimony upon which it professed to have been founded, how much more so was he, to observe the manifest tendency of that testimony. To him it appeared that it said nothing for, and every thing against, the measure before the House. It proved that the larger the breweries the better and cheaper had been the beer; the poorer the publicans and retailers, the more the adulteration and the tippling; and for this, what was to be the remedy? Why that of giving to every cottager throughout England and Wales, the power of claiming from the Excise, with a restriction as to sureties only, which must prove quite nugatory, a right to turn his cottage into a tippling-house? He had lamented the alteration made by the former Act, yet, after hearing that the Beer-shops were diminishing, rather than increasing, from their own poverty and wretchedness, he had hoped that the evil of that Act would correct itself; but now it would be increased, and become incalculable. Every bad sharp-witted fellow in their Lordships' hitherto quiet villages, would become a candidate for an Excise license to corrupt the labourers around their country houses, and withdraw them from their families, to the low tippling-room so near to them. He could see nothing in this most short-sighted and ill-advised measure but endless mischief. Let there be no drinking on the premises, as proposed by his noble friend (the Duke of Richmond), and then means might be found perhaps to prevent this restriction being evaded, and enforce its observance. This would greatly check the mischiefs of the Bill, but another alteration in it would be of the utmost importance. The Magistrates, that unpaid and most valuable body of men, to which England owed much of its prosperity, and on many occasions its greatest internal security; whose local knowledge best fitted them to be the guardians of good order around them; and who were, for the most part at least, actuated by a sense of their important duties alone, ought to retain the power of granting the licenses; and with this power, that of refusing them to persons of notoriously bad habits and character. They had every interest in the well-being of their neighbourhood: but what interest on earth in that had the officer of Excise? He, it seems, was to grant a license to every one who could produce his sureties, (which in their operations, by the by, would prove no sureties at all), and after having done so, he might be removed elsewhere, and another Exciseman in his place would add to the evil; whilst the Magistrates was to have only the odious and almost impossible task of convicting an immense multiplicity of offenders, whose restricted punishment, if awarded, would be wholly inefficient. Of one thing he felt perfectly convinced, that if the Bill were to pass, as he was afraid it would, hurried as it was through the House,—the consequences would force themselves, at no distant time, upon the reconsideration of Government. He was very sorry to see it introducing such a measure, which, he repeated, he could not but look upon as a futile and unwarrantable attempt to prop up the revenue, at the expense of the good order and real welfare of the labouring classes. He, the noble Earl, had never supported any amendment with more confidence than he should that of his noble friend.

Lord *Ellenborough* said, he observed with great satisfaction that, however noble Lords upon both sides of the House might differ from each other upon the details of this Bill, there seemed to be but one feeling upon its principle, which was that stated by the noble Duke—that beer ought to be made as cheap as possible to the poor man, and that he might have the privilege of drinking it at his own house; and it was because he (Lord Ellenborough) thought that object would be better effected by this measure than by the clause of the noble Duke, that he supported the Bill. The noble Duke said, that this was an innovation; but he ought to recollect that the remission of duty was also an innovation, this tax having been remitted now for the first time for the last 144 years. In giving the boon of remission, therefore, to the poor man, it was necessary to give it in this way, that it might lose nothing of its fulness or completion. The public would not only derive benefit from the sale of beer, but also from the remission of the tax. It had been calculated by a right hon. Gentleman in the other House, that the whole amount of benefit which this measure would produce to the public in addition to the remission of the duty, would be 1,500,000*l.* Of late years Parliament had reduced the duty on spirits, coffee, and wine, which necessarily operated against the sale of beer. It was impolitic, by keeping up the price of beer, to give a premium on the consumption of the most intoxicating liquors; and it was right that at last they should set about reducing the duty on beer. The great increase in the consumption of rum and gin amongst the labouring classes of society was an evil of a very alarming nature. The fact was undeniable, that such an increased consumption had taken place, and the Government now called upon Parliament to protect the people against the demoralising influence of rum and gin drinking, by holding out an inducement to them to return to the ancient and wholesome beverage of this country, and to drink it at their own houses. He could not help thinking that the apprehensions of the publicans were greatly exaggerated. It appeared from the evidence before the House, that all the great brewers, and the occupiers of great houses, would still have a decided superiority over the new and small competitors, through the operation of greater capital and established custom. All the witnesses concurred in stating that the consumption of beer would be greatly increased by the measure. This would operate also as a security against loss, as it was rather to the extent of the trade than to the rate of his profits that the publican owed his remuneration. One of the witnesses had stated, that if beer were reduced but one penny in the pot, it would be an advantage to the labourer of twenty-one pence in the week. This was, perhaps, stating it too high; but the poor man would have an opportunity of buying beer cheap, and taking it home, which they could not do if the houses where it was sold were few and far distant. The great object of the Bill was, to separate the sale of beer from that of spirits; and he was satisfied that no measure could contribute more to improve the habits of the labouring poor, and restore comfort and respectability to their families. A noble Earl had said, on a former night, that the Bill was an interference with the privileges of the magistracy. But there was no disposition on the part of his Majesty's Government to touch upon the dignity or interests of the upper classes of society. The Bill had no such effect. It left the Magistrates with the full power they now enjoyed over all the police regulations which were applicable to such houses. He hoped their Lordships would pass the Bill in the state in which it was now before them; for the amendment of the noble Duke would destroy all the beneficial purposes of the Bill, by practically preserving a monopoly which cost the people a million and a half a-year.

The Earl of *Malmesbury* observed, that the great portion, almost the whole, of the speech of the noble Baron who had just sat down, applied to any thing rather than to the amendment of the noble Duke, which was the question before the Committee. It was the wish of the noble Duke, as well as of the noble Baron, that the poor man should drink good liquor in good company—that was, with his own family. But the way to do this was not by authorising beer to be drunk in these new public houses. The noble Baron had argued as if the licensing system and the police system had grown up together; but the fact was, that long before the licensing system had commenced, there were police regulations applicable to public-houses under the control of the Magistrates. He could not help thinking, notwithstanding all which had been said, that the power of Magistrates had been most improperly interfered with by this Bill. In spite of the attacks which were made against that respectable body, the county Magistrates, from time to time in the periodical works of the day, it was manifest that they had exercised all their functions, and the control of public-houses among the rest, with the greatest propriety and discrimination. To prevent the indefinite increase of such houses was a proper use of the magisterial function. But he wished to ask the noble Lords who supported this Bill in its present shape, what sort of provision it contained for the supervision of such houses? As far as he could see, the Bill contained no provision of the kind; so that those remote pot-houses would exist without any check from the Excise, or any power on the part of the Magistrates to regulate their conduct. It appeared that they were to have two 10*l.* securities for the good conduct of the house; but their Lordships all knew what Jew bail was in London, and they might depend upon it that, in many instances, those 10*l.* securities would be of the same nature, mere nominal bail, which never could be made available. It was a mockery to talk of this as a substitute for that supervision which was at present exercised, but which would be done away, so far as these houses were concerned, by the Bill. If they depended on securities, they should take care to make them substantial; they should have two respectable householders, for instance, in the county, to enter into the security required. Under all the circumstances he should feel it his duty to support the clause proposed by the noble Duke.

The Earl of *Harewood* could not concur with those noble Lords who thought that the Bill, in its present shape, would have a favourable effect upon the morals of the people. On the contrary, he apprehended that to allow beer to be drunk in the public-houses would lead to great confusion. He had heard much of monopoly, but however that question might stand with regard to other places, he would say that in the county with which he was most connected, the small farmer brewed his ale at home, so that the dearness of the article in his case arose not from the effect of the monopoly of the brewer, but from the pressure of the malt-duty. The way to benefit him was to take off the duty on malt. To permit, as was contemplated by the present Bill, beer to be drunk where it was sold, would, he feared, tend in a material degree to alter the habits of the people, by exposing the families of the peasantry to the intrusion of drunken fellows, whose riotous habits and language they would be compelled to witness. It was also to be apprehended that smugglers would avail themselves of such places, in the absence of the Excise-officer, for the disposal of their liquors, much of which would, in all likelihood, be consumed, instead of the beer which the Legislature professed to encourage.

The Marquis of *Bute* said, that none could attach more importance than he to the moral character of the working classes of this realm. He, however, could not help differing from the noble Earl. He had read this Bill with great pains and anxiety, and he could not discover where was the ground for the apprehensions which noble Lords had expressed. It did appear to him that there was a very considerable and useful control left in the hands of the Magistracy, and he thought that the control could not be placed in better hands. He was, however, bound to say, that the species of control under this Bill was a much better kind of control than that which they already possessed, and which, so far from their wishing to retain, was of a most invidious character. The effect of the clause as it now stood, would be, that the number of houses would increase where they ought to increase—in towns and villages where the monopoly belonged to the brewers, and where bad beer was in consequence furnished. He was the proprietor of several public-houses, and complaints had been made to him by his tenants. He had been of opinion that those complaints were not well founded; but this he knew, that the Bill had already induced several brewers to put in an additional quantity of malt. He had no doubt that the Bill would increase the revenue; but he thought that those who imputed to the Government the bringing forward this measure as one of revenue, did it injustice; he believed that it had been done in a moral point of view, and he esteemed and honoured the Government for it.

Lord *Bexley* entirely concurred with what had just fallen from the noble Marquis with respect to the effect the Bill would have on the morality of the people; and he should, therefore, support it as it now stood. It was much to be desired that the people should be weaned, if possible, from the use of spirituous liquors, and that he thought would be effected by their being enabled to obtain good beer at houses where no spirits were sold. He lamented that in effecting what he conceived a great public good, any material private interests should be injured, though he did not believe that the Licensed Victuallers would be injured to the extent that had been assumed. But even supposing the injury complained of was really about to be inflicted, he contended that the public good ought to predominate; besides which, they were bound to remember that licenses, as they now stood, only existed from year to year, and had always been open to alteration and revision. It had also been said that this Bill was casting a slur on the Magistracy of the country. He could not at all admit that, for great power was still left in their hands. Taking the measure as a whole, he looked upon it as by far the most important boon that the Government could have conferred on the lower orders of the people; and he, therefore, should give it his best support.

The Duke of *Richmond*—I shall only detain your Lordships with a few observations in the way of reply, merely to set right the noble Lord as to an historical fact. I wish to inform him, in the first place, that the licensing system existed for above a century before any tax was put on beer; but furthermore, the noble Lord (Bexley) is curious in his mode of proving the benefit that will be derived from this Bill. He says you will give an inducement to workmen to go to houses where no spirits are consumed. Now I affirm that as regards that part of the country with which I am connected, numerous cottages kept by paupers and smugglers will open beer-shops, and under the pretence of selling beer will sell smuggled spirits. This will be inevitable; for the Exciseman will not have the power of entering into the places where beer is professed to be sold. If, therefore, the noble Lord intends to vote for the Bill on that ground only, I hope he will be induced to refrain from voting at all; or if he does, that he will vote with me; for I am convinced the effect of the Bill will be to increase the consumption of illicit spirits. For my own part of the country, I can positively state that such will be the case; and I think the noble Earl opposite, from the neighbourhood of the New Forest, will bear me out when I say, that it will be the case also in his part of the country. It is wished to give the people good beer; but will the paupers who will offer it for sale be less likely to adulterate it with no Exciseman to superintend them than the publican is now, with your whole army of Excisemen? When we find that even at present some adulteration takes place, can it be supposed that none will take place under the circumstances that will arise from the operation of this Bill? Most assuredly not. And I say, that the beer will be adulterated to an absolute certainty. I will not detain the Committee much longer; but there is a point or two more upon which I wish to offer a few observations. The noble Baron also said, he could not conceive that there existed any of the vested rights of which I spoke, because the license given to the publicans was an annual one. It is so; but is not the noble Lord aware, and he must be if he has ever acted as a Magistrate in the country, that it is the invariable practice of the Magistrates never to deprive a man who possesses a good character, and who keeps his house in good order, of his license. It is the exercise of this discretionary power that prevents disorder and preserves regularity; for a publican knows that if his house be conducted with propriety, he is sure to preserve his license. This incitement to proper conduct is now taken away, and the penalty substituted for it is most inefficient, it is true that a man is to be imprisoned as well as fined; but what is imprisonment without hard labour?—Why, my Lords, a man of the class, by whom badly-conducted houses will be kept, would as soon, under such circumstances, be in prison as out of it. Whether the Bill will answer in London or no, I will not take upon me to say; but I rather think that some gentlemen interested in the value of property in London, fear that the operation of the Bill will do anything rather than increase that, for I find that there is a clause in the Bill which was not originally to be found there. When I first discovered it, I was curious to know by whom it had been introduced,—upon inquiry I found that it was placed in the Bill by the Chief Commissioner of Woods and Forests. The effect of that clause is, to prevent any person who holds a house under a Crown-lease with a covenant not to have it turned into a public-house, from turning the same into a beer-shop. The noble Lord of whom I speak is one of the best officers of the Government, and one of the most efficient public servants we have; and he clearly saw that if any of his houses in Regent-street were allowed to be turned into beer-shops, it would deteriorate the value of the whole Crown property in that quarter of the town. As far as regards houses held under such leases, no mischief is done; but to what an inconvenience may not respectable tradesmen and retired gentlemen in the country be exposed, by any man being allowed to sell beer next door to him, thus congregating every evening round his house a parcel of drunken men. Under the old licensing law a constable could not keep a public-house; but there is nothing in this Bill to prevent that officer from opening a beer-shop; and as the constable is made the prosecutor at the direction of the Magistrate, he may frequently have to direct the constable to prosecute himself! I must say, that when the Government brings in a bill to do away with rights which have been established for so many centuries, it ought not to be done without more evidence. The principle of this law having been disapproved of in 1828, it would have been more decorous and more becoming, more worthy of Statesmen and of this Legislature, if it had been referred to a Select Committee of this House. The noble Lord, to get at the whole truth, should not have confined his examination to brewers and publicans, he should have extended it to farmers, yeomen, clergymen, and resident gentlemen; not one of whom was called upon to give evidence before the committee. The Chancellor of the Exchequer called whatever witnesses he pleased, and took care that they should be such as to suit his purpose. Under Mr. Estcourt's Act an appeal was given to the Quarter Sessions, a provision which, I believe, has been found to work extremely well. There were eight or ten cases last year in which the Magistrates refused to grant licenses; but, on appeal to the Quarter Sessions,they were decided to be in the wrong. This proves, that any abuse to be feared from the present system is completely guarded against. I do not wish to be understood as having any objection to the repeal of the beer-duty; on the contrary, I feel great gratitude for it; but I cannot approve of measures being coupled together in this way,—one objectionable—the other desirable—and the Ministers saying to us—"Take the first, or you shall not have the last." Not being able to sanction this principle, I must persist in my Amendment.

The Committee divided:—for the Amendment 15; Against it 60—Majority 45.

List of the Minority.

DUKES.
Richmond
Grafton
Portland
EARLS.
Dartmouth
Eldon
Falmouth
Harewood
Malmesbury
Mansfield
Sheffield
VISCOUNT.
Donne

BARONS.
Calthorpe
Gage
Redesdale
Walsingham

PAIRED OFF
DUKES.
Bedford
Newcastle

MARQUIS.
Ailesbury
EARLS.
Romney
Winchilsea
Sherborne
Stradbroke
BARONS.
Rivers
Skelmersdale

The Duke of *Richmond*, after the division, said: Here is this punishment of imprisonment without hard labour. I would suggest to the noble Duke opposite whether, without the addition of hard labour, it be not too light.

The Duke of *Wellington* replied that he thought the punishment quite sufficient.

The Duke of *Richmond*: It was my intention to have moved in the Committee a clause to delay the operation of the Bill, so as to give the publicans time to prepare for their fall; but after the small minority in which I have just found myself, and after having already so long detained your Lordships, I will not at present do so. If the rights of the publicans be not vested rights, they are surely more so than those of the Excise and tax collectors of Ireland, who, to the amount of twenty or thirty, when the Boards were re-modelled, were dismissed as unfit for their duty, and yet received compensation. Now I do not ask for compensation to the publicans; but I do ask for time. And I will take the opportunity of the third reading to state more fully my reasons for doing so; and I will then move also that a clause to that effect be added to the Bill. By one provision of the Bill, no Sheriff's Officer is to be allowed to keep one of those pot-houses; and I think that the reasons for excluding a Constable, he being as I said before, appointed prosecutor, equally strong. I would still press that amendment, therefore, upon the consideration of the Government, as also the point of parties being committed to prison without likewise being condemned to hard labour. All who are in the habit of acting in the country as Magistrates, must be aware of the inconvenience experienced in gaols from persons being sent there and not being obliged to work.

The Duke of *Wellington*: The noble Duke was certainly mistaken on the point of vested rights; the fact was, that those persons held their licenses from year to year, and at the expiration of each license all right ceased, and it was only the renewal of the license which continued the right. It was perfectly true that Magistrates, in the exercise of their discretion, seldom refused to renew the license of a man of good character; but it had happened, and that upon grounds sufficiently slight, that Magistrates had refused a man a license, for example, because his house happened to have a back door to it, or because he had a tap-room—or in short for not being conformable to their regulations in other respects. All this shewed not only that the publicans never had been considered to have a vested interest in their licenses, but that the state of the law wanted altering. With respect to the instance of the collectors of Excise mentioned by the noble Duke, as having received compensation upon dismissal from their offices, it was by no means a parallel case with the present, any more than that of the Constable and the Sheriff's Officer. The collectors of Excise were entitled to compensation, being deprived of an office to which they were appointed for life. There were peculiar circumstances which rendered it inexpedient to have a Sheriff's Officer keeping one of these beer-houses; with respect to the Constable, he holds his office during pleasure.

The Duke of *Richmond:* It was from a wish not to detain the Committee that I was prevented from urging all the arguments I might have done in favour of the claim of the publicans. The noble Duke himself has in former times approved of the principle on which I now seek to delay the operation of the Bill; for when bounties were abolished, Parliament gave the parties affected from three to ten years to prepare for the change. The same course was pursued with repect to the currency. After the passing of Mr. Peel's Bill, three years were given for the country to prepare for the change. And again in 1826, when the small notes were suppressed, time was also given. But here are parties with a vested interest which we are about unjustly and abruptly to deprive them of, without any time being conceded to them. But it is a point on which I shall be ready to meet the noble Duke hereafter. I know not what may be the case in London; but I do know that in the country the effect of this Bill will be to convert every other cottage into a public-house. For these reasons I shall hereafter move the clause of which I speak, and enter my protest against the Bill, and thus cast from me the responsibility of passing this measure, which the chances are that the noble Duke will himself have to move the repeal of next year. We have yet however a little time for deliberation; and I hope that upon consideration, he will allow the clause I intend to move for delaying the operation of the Bill for one year to be inserted, in order to give a Committee of this House time carefully to examine into its provisions.

Their Lordships resumed, and the Bill was reported with one Amendment.

HOUSE OF COMMONS,

Thursday, July 8.

MINUTES.] The Sessional Addresses were agreed to. The Warehoused Sugar Bill, and the Fisheries Acts Continuance Bill, were read a third time.

Petitions presented. By Mr. O'CONNELL, in favour of Parliamentary Reform, from the People of Ireland; for the better regulation of Turnpike Tolls, from Land-owners in the County of Dublin; against the Spirit and Stamp Duties (Ireland), from Kilkenny; against Orange Processions from Manor-hamilton (Leitrim); from certain Tide-waiters, complaining of being transferred from Dublin to London, without any increase of Pay to meet the increase of Expense.

EAST-INDIA COMPANY'S AFFAIRS.] Mr. *Ward* presented the seventh Report of the Select Committee appointed to take into consideration the affairs of the East-India Company. The hon. Member observed, that the Committee had sat for two-and-twenty weeks. During that time, a great deal of evidence had been heard before it. Upwards of 6,000 questions had been put to witnesses. He had the pleasure to say, that this Seventh Report contained, in a short compass, a summary of the evidence which, in the opinion of all the members of the Committee, five-and-thirty in number, was most impartially drawn up, and which certainly gave universal satisfaction. Of course, it had not been drawn up by himself, or he would not have given it such a character. He moved that the Report be printed.

Mr. *Trant* expressed his hope, that in the next Session of Parliament, when the subject would, no doubt, be again referred to the investigation of a Committee, that Committee would especially consider Indian affairs, with reference to the interests of the natives of India. He now begged leave to direct the attention of the hon. Gentleman to a topic, which he might not have an opportunity of again mentioning in that House. It was a subject which he had nearly at heart, and which, but for the sitting of the Committee, he would have brought forward in the House in the course of the present Session. The subject to which he alluded was, the land-revenue of what were technically called the ceded and conquered Provinces under the government of Bengal. He was convinced that a flagrant breach of faith had been committed with respect to the natives of India, as to the settlement of their lands. It was a question of extreme importance, and deserved the especial attention of the Committee on East India Affairs. He spoke after long experience upon the subject, which he knew was one that was considered of vital importance in India, and in which the national honour was deeply concerned. He trusted that both the House and the Committee that might be appointed, would take it into their most serious consideration.

General *Gascoyne* was glad to hear, that the Report which had just been presented by the hon. Member for London had received the general approbation of the Committee. He must be permitted, however, to repeat what he had said when that Committee was appointed, namely, that the mode in which it was constructed did not seem to him to be one from which the public was likely to derive much benefit. It had too great a leaning in favour of the East-India Company. It would be improper on his part to give any opinion with respect to the Report which had that evening been laid on the Table; but with reference to its predecessors, he must say, that they seemed to him to betray a prejudice and partiality in support of the East-India monopoly, which he could not have expected to find in them. The Committee would, no doubt, be re-appointed in the next Session of Parliament. If so, he would be more cautious and watchful, and inquire previously with more care of whom the Committee was to be composed, than when he was taken by surprise in the early part of the present Session. It was impossible that a Committee appointed to consider so great and important a question as the opening of the trade with China could be constituted too impartially. He repeated, however, that he was glad to understand from his hon. friend that the present Report had received the unanimous approbation of the Committee.

Mr. *Stuart Wortley* denied that the

former Reports of the Committee were justly liable to the imputation of partiality cast upon them by the hon. member for Liverpool. There were undoubtedly in the Committee persons holding high offices in the East-India Company; but there were also many persons, among whom he begged leave to include himself, whose only object was, to elicit the truth. The Report which had been presented by his hon. friend received the complete approbation of the Committee, and received only a few slight verbal alterations. As to the ceded and conquered provinces, he could assure his hon. friend who had adverted to that subject, that if he (Mr. S. Wortley) had the honour of belonging to the Committee next year, he would use every possible means of obtaining information upon a subject of so much importance.

Mr. *Ward* observed, with reference to the charge of partiality, which had been preferred against the Committee by the hon. member for Liverpool, that the present Report was confined solely to a summary of the evidence, and that those members of the Committee who were most opposed to the claims of the East-India Company, expressed the highest opinion of its impartiality. If the result of that evidence was favourable to the Company, it ought to be recollected that the Committee could not constrain witnesses in their answers.

Mr. *John Stewart* confirmed the statement of his hon. friend as to the impartiality of the Report. It contained no expression of opinion. It was merely a summary of what had been established by evidence. In the next Session, however, he should certainly suggest to his Majesty's Government, on the re-appointment of the Committee, to include in it some Members who had been in India, and who were not connected with the East-India Company. Those who were now in the Committee, were either servants of the East-India Company, or connected with its shipping. But there were no individuals in the Committee, as originally formed, who had local knowledge of what might be beneficial to the inhabitants of India, and who were, nevertheless, unconnected with the East-India Company.

General *Gascoyne,* in explanation, denied having any intention to throw an imputation on the fairness of the present Report.

Report to be printed.

NEW SOUTH WALES.] Mr. *John Stewart* presented a Petition from Patrick Thompson, the unfortunate man whose case had lately been mentioned in that House, complaining of various grievances which he had suffered in New South Wales. It deserved the attention of the House: for if the complaints were well-founded, which they appeared to be, the conduct of the Governor of that colony had certainly been most unjust and oppressive. On returning to Chatham, Thompson had been there confined for nine weeks. Subsequently he was discharged; but notwithstanding he had previously received a free pardon, the words "discharged with ignominy" were inserted in a different hand-writing into the order for his discharge. He (Mr. Stewart) had no reason to doubt the accuracy of the allegations of the petitioner, who was thrown on the world, and utterly destitute of the means of finding his way to his native parish in Ireland. He begged to recommend the petition to the consideration of the House.

Sir *Henry Hardinge* observed, that the petitioner had been tried at Chatham by a court-martial for some act of insubordination, and sent to prison for nine weeks. If it were a fact that the words "to be discharged with ignominy" had been introduced in a different hand-writing into the order for his discharge, he (Sir H. Hardinge) would inquire into the subject. As the allegations in the petition were not correctly stated, he thought that the petition had better not be printed.

On the motion that it lie on the Table,

Mr. *Hume* stated, that he had seen the unfortunate man in question, and he appeared to have been most illegally and harshly used. How far it was impracticable to re-admit him into the service he (Mr. Hume) could not know. But he was sure, that if any thing improper had taken place in the mode of his discharge, the right hon. Gentleman opposite would be the last man in the world to allow it to pass unredressed. The petitioner was an object of deep commiseration; he had not a shilling, and was a perfect stranger in the world.

Mr. *O'Connell* was sure, that if there had been any improper insertion in the unfortunate man's discharge, it would be investigated. It was undoubtedly true that the act which he had committed at New South Wales was, in a military point of view, exceedingly improper; and it had subjected him to a heavy military punishment. He had committed a trespass, to get out of the service; an offence inexcusable as a soldier, but not bearing any felonious character. The wretched man was now thrown on the world, with a stigma from which he could not recover. As the right hon. Secretary of State for the Colonial Department was not present, he (Mr. O'Connell) would abstain from any remarks on the Government of New South Wales. He would only express his regret that so many complaints were every day received from that Colony of the conduct of the Governor, who appeared to have little feeling, and to be more unpopular than any of his predecessors. That very circumstance disqualified him for the office, as it showed his want of management. If he should have the honour to sit in the House next Session, he would bring the subject under consideration.

Sir *M. W. Ridley* was quite unacquainted with the governor of New South Wales; but he had in his possession an Address to that Governor, signed by all the Magistrates and respectable inhabitants of the colony, expressive of their strong disapprobation of the means which had been resorted to for injuring him, and their sense of his gentlemanly character and demeanour. This Address was signed by every individual holding office, and by many persons not at all connected with the Government. If he had been aware that the subject would have been discussed that night, he would have brought the document in question with him.

Mr. *W. Horton* said, he had also received a copy of the document in question. Adverting to what had fallen from the hon. member for Clare, he observed, that although he did not mean to say that the matter ought not to be examined into; yet he must deny the soundness of the doctrine, that the want of popularity on the part of a Governor of a colony, at once disposed of the question of his fitness for the station.

Mr. *O'Connell* begged to remark that he had been misunderstood. He did not mean to allege that the unpopularity of a Governor was conclusive against him; but that it was one evidence of his unfitness. More prosecutions for libel had been instituted in New South Wales since the accession of the present Governor to his office, than during the government of all his predecessors.

Mr. *John Stewart* would not insist on the printing of the petition, as the right hon. Gentleman had said that it did not state correctly all the circumstances of the case, and that he would inquire into the particular fact of the interlineation in the order for the petitioner's discharge. He would merely observe, that it was necessary for the purposes of public justice that the petitioner should be placed in a situation in which he might be forthcoming in any future proceeding against the Governor. He also had in his possession a copy of the document to which the hon. Baronet referred; but he begged to observe, that it was signed by only 125 persons out of a population of 36,000.

Mr. *Hume* had read the Address alluded to, a copy of which was also in his possession; which copy he would bring down to the House to-morrow, and make an analysis of it. He was persuaded that there had never been a grosser imposition attempted upon the people of England than in the way in which that Address had been got up. In a letter which he had received from an officer in his Majesty's service in the colony, the Governor's conduct was designated by epithets which, if true, implied conduct of the most reprehensible character. Although he knew that the right hon. Secretary of State for the Colonial Department was favourably impressed toward the present governor of New South Wales, he would to-morrow point out such circumstances, contained in the document in question, as would warn him on the subject. He would avail himself for that purpose of the motion for papers respecting the colony.

Sir *H. Hardinge* considered the present as a most unfair mode of attacking the Governor. He (Sir H. Hardinge) had already said, that the petitioner had been imprisoned at Chatham for an act of insubordination; and that he would inquire if any error had occurred in the mode of his discharge. But it was most unfair towards the governor of New South Wales to take advantage of the presentation of a petition to quote letters from New South Wales, complaining of his conduct; and that because, with a difficult government, he was supposed to be unpopular. He (Sir H. Hardinge) was satisfied, from the high respectability of the officer in question, that he would never do any thing to disgrace himself.

Mr. *Trant* observed, that it was a very inconvenient proceeding to allude to a letter from an officer in the colony, containing epithets abusive of the Governor; and for this, among other reasons, that it might lead to some disagreeable speculations as to who that officer might be. He knew nothing of the present governor of New South Wales, and little of his proceedings. But, if gentlemen holding high situations in the colonies were to be held up in this loose and vague manner to public censure, great evils must ensue. He would recommend the hon. member for Aberdeen—and he was sure the hon. Member would pardon him for his candour—to well consider his subject, and to be perfectly prepared upon it, before he got up to throw serious discredit on any man in a high public station.

Mr. *Hume* observed, that he had not introduced the subject. An hon. Member having stated that he had a copy of an Address to the governor of New South Wales in his possession, he (Mr. Hume) had remarked, that he had a copy; and he entertained a very different opinion of that Address from the hon. Member who first brought it under the notice of the House. The hon. Member who had just spoken was probably not aware, that one of the leading barristers in the colony of New South Wales had impeached General Darling, by bringing against him six charges that might affect his life. On that point, however, he would not say any more, as he would bring the Address down to-morrow. He hoped, however, that the right hon. the Secretary of State for the Colonial Department would say if any measures were in contemplation, founded on the charges to which he (Mr. Hume) had alluded. He trusted that at least General Darling would be recalled to answer them.

Sir *G. Murray* said, he understood that the hon. member for Aberdeen had implied that he (Sir G. Murray) had evinced too great partiality for the present governor of New South Wales. He begged to observe, that in his official capacity he never allowed himself to be influenced by partiality for any one. As to the epithets in the letter in the possession of the hon. Member, epithets involved no proof. The hon. Member said, that articles of impeachment had been preferred against the Governor by a person of considerable note at the Bar in New South Wales. But the hon. Gentleman spoke as if to prefer such articles was tantamount to a conviction of the individual against whom they were preferred. Those articles were contained in a pamphlet which had been published; but he (Sir G. Murray) had laid papers on the Table of the House, explanatory of all the circumstances of the case; and could see no reason to induce him to advise the recall of the Governor, unless some stronger matter were to appear against him.

Sir *M. W. Ridley* explained, that he had only referred to a document in his possession, to show that the Governor was not the unpopular man he had been represented to be by the hon. member for Clare.

Mr. *O'Connell* said, that unless the Governors of our distant colonies were kept under proper control, there was no extent of despotism which they would not practise; more especially in cases of libel. By the last intelligence from New South Wales, it appeared that four prosecutions were at that time instituted. What was likely to be the consequences, when of the Jury seven members were military men, appointed by the Governor.

Petition to lie on the Table.

Code of Laws.] Mr. *O'Connell*, in withdrawing his notice of a Motion for "An Address to his Majesty, that he would be graciously pleased to take measures to have drafts or plans of a Code of Laws and procedure, either in the whole or in parts, to be laid before that House," observed, that it was too late in the Session to enter upon the consideration of so important a subject. He regretted extremely that the hon. Baronet, the member for Westminster, was prevented from presenting a petition on this important question, from a man whose name was his highest eulogy—he meant Mr. Jeremy Bentham—to whom the world was so deeply indebted for his works on the subject; which petition contained an offer to submit to the House the draft of a full Code of Laws and procedure, with reasons for every article, if the House would think proper to go to the expense of printing it. He (Mr. O'Connell) was instructed to say, that Mr. Bentham, in his plan, met the objection which had hitherto been made to all codes, that they were subject to misinterpretation.

DANISH CLAIMANTS.] Mr. *Tennyson*, in the absence of his hon. and learned friend, the member for Knaresborough, presented a Petition from certain Danish Claimants, complaining of the losses which they had sustained from the confiscation of British property in Danish ports. After describing the amount of the property originally seized, and the circumstances under which it was sequestered, and the assurance to the petitioners that they should be compensated out of the droits of the Crown, the hon. Gentleman proceeded to state, that by the 11th Article of the Treaty of Kiel, concluded in 1814, it was provided, "That all sequestered property not already confiscated should be returned." The Danish authorities, however, who were previously aware of what would be the nature of this Article, took care that all the property which had until then been only sequestered, should be immediately confiscated. The petitioners had thus lost the whole of their property, and had received no compensation.

The *Chancellor of the Exchequer* said, that this was not the first or second, or third or fourth time, that this question had been brought before the House; and he was therefore disposed to think it ought to be considered as decided. He solemnly declared, after a perusal of all the documents on which he could lay his hands, that there had not been any pledge given by the Government, that the demands of these claimants should be satisfied. He contended, too, that it would be improper to establish the precedent of affording compensation in that case, as it would open the door to an infinite number of other claims of a similar nature, which had been already negatived by the Treasury.

Mr. *Warburton* supported the petition. In this case the property of English merchants had been confiscated to swell the droits of the Crown. It was a case of astounding injustice.

Mr. *Poulett Thomson* hoped the hon. Member would pledge himself to move for a Select Committee, to investigate these claims next Session.

Mr. Hume expressed a similar wish.

Mr. *Trant* declared, he would decidedly support such a motion, if he had the honour of a seat in the House next Session.

Petition laid upon the Table.

NEWFOUNDLAND.] On the question that the Fisheries' Bill be read a third time,

Mr. *Robinson* warned the Government, that the people of Newfoundland were determined to try their right to fish on the banks which had been ceded to the French, and had accordingly sent a vessel to fish, concurrently with the French, and would do so till prevented by force. He was sorry the Colonial Secretary was not in his place, but even in his absence he thought it was well to make that statement, because the question would soon be brought before the Government in such a shape as would compel a decision.

HOUSE OF LORDS,

Friday, July 9.

MINUTES.] The Army Pensions Bill was read a third time and passed. The Illusory Appointments, and the Real Property Liability Bills, were read a second time. The Appropriation Act, the Vote of Credit Bill, the Exchequer Bills Bill, the Fisheries Acts Amendment Bill, the Disembodied Militia (Ireland) Bill, the Stage Coach Proprietors Bill, the Law of Libel Bill, and the Expense of Witnesses (Ireland) Bill, were brought up from the Commons, and read a first time.

Petitions presented. By Lord DURHAM, from the Parish of St. Mary, Newington; from the Congregation of Protestant Dissenters, meeting at the China Terrace Chapel, Lambeth; from the Protestant Dissenters of Stowmarket, Suffolk, and York-street, Walworth, for the abolition of the Punishment of Death for Forgery. By the Marquis of CLEVELAND, from James Joyce, of Galway, against one of the Clauses of the Galway Franchise Bill. By the Earl of HARROWBY, from the White Inhabitants of the Island of Antigua, praying that the Blacks may be placed in the same situation as the Whites, with respect to the right of serving on Juries, and giving evidence in Courts of Justice. By the Earl of ELDON, from the Magistrates of Chester, against the Sale of Beer Bill.

Their Lordships again examined Witnesses on the East Retford Disfranchisement Bill.

ARMS (IRELAND) BILL.] The Duke of Wellington moved the second reading of this Bill.

The Earl of *Radnor* objected to the amount of the penalty of 500*l.*, and pronounced the whole Bill vexatious and oppressive. The Bill, as far as he could see, provided no relief for those Captains of ships who might be driven into any of the harbours of Ireland, by stress of weather, with arms or gunpowder on board, and it was possible that the owner of a vessel might be compelled to pay the penalty, because a passenger had arms or ammunition on board, even without his knowledge.

The Duke of *Wellington* said, the Bill was a mere continuation of the Act of 1797, and intended to be in force for but one year.

The Earl of *Caledon* supported the Bill, which he described as a measure of great propriety.

Bill read a second time.

DISTRESS IN IRELAND.] Earl *Stanhope* presented a Petition from the Owners and Occupiers of Land in the County of Kent, complaining of the increase of their parochial burthens, from the number of Irish poor, and praying the House to adopt some measure for the removal of Distress in Ireland, and for the purpose of compelling the landed proprietors of that Kingdom to support their own poor. The noble Earl said, that at an early period of the Session he had the honour of submitting to their Lordships a motion of inquiry into the internal state of the country; and on that occasion he laid a statement before them, founded, not only on what he had observed, but also upon the authority of others, whose veracity might be relied on, and whose means of information were very extensive, as to the situation and condition of the labouring classes of this country. He made that statement in contradiction to one said to have been made in the other House by the Chancellor of the Exchequer, who had the hardihood to assert, that Ireland was in a state of great and general prosperity. When his noble friend near him (Viscount Goderich) filled the office of Chancellor of the Exchequer, he exulted, as he had a right to do, in the actual prosperity of that country, as well as of the whole of England, and he had only to regret that that prosperity had not proved as substantial and permanent as he expected. In England the sufferings of the people were greatly, if not wholly, attributable to the suppression of the small notes, but that was an act of administration, for which his noble friend was not answerable. It was reserved for the present Chancellor of the Exchequer to congratulate the House on the prosperity of the country, when all classes were in distress. When he brought forward the former motion to which he had alluded, and which was for an inquiry into the condition of the labouring poor, a noble Earl opposite, one of the Representative Peers of Ireland, stated—not indeed that the country was in a state of prosperity, but that which was rather of a negative than a positive character; namely, that the distress was not greater than usual—in short, that it was nothing more than the ordinary and habitual state of suffering, which existed at all times. To this the noble Earl added, exciting general astonishment, that that distress ought to continue, if it could not be relieved but by what he was pleased to call a tampering with the currency. It was well for the noble Earl so to speak. While he enjoyed in Ireland the benefit of a small note currency, he might look with calmness and indifference on the sufferings of England. Since that period, however, the distress in Ireland had progressively increased; the evils which continually afflicted that country now pressed upon it with accumulated force, and in some parts they had been still further aggravated by riot and bloodshed. He would not detain and grieve the House on this occasion, by reading any of those statements which he received daily from every part of Ireland, of the grievous and intolerable distress which afflicted the Irish. Their condition, he was well assured, must be known to all; and the only illustration, therefore, that he should give of it was, from the report of a committee of the town of Brandon, in which it was stated, that the distress continued to increase in all quarters, and that the number of unemployed labourers was so great, that no less than 2,500 applications had been made to the committee for relief, in the course of a very short time. It then stated, that the distress had not been alleviated by the advance of the season. On the contrary, it still existed in the utmost severity, and had, indeed, been considerably aggravated by its long continuance. No improvement, it said, had taken place in trade, and no opportunity offered for the employment of labourers of any kind. The consequence was, that the greatest distress prevailed, and this distress there was no means of alleviating, except by the voluntary contributions of the richer inhabitants. In the town and neighbourhood of Brandon, it was added, upwards of 2,000 persons, being equal to one-sixth of the whole population, had no other means of obtaining their daily food, than by an allowance from charitable contributions. This was the statement contained in the report of the committee at Brandon; but it would be endless to quote examples of the extreme and grievous distress which afflicted Ireland. They were to be found in every newspaper, and in every account received from that country; and if further proof were required, it might be found in the sanguinary proceeding which had lately taken place at Limerick. He could not agree in the opinion of the noble Earl, who bore the name of that town, that the Magistrates deserved reproof for not calling earlier for the interference of the military. The magistrates, on all such occasions, were bound to act with forbearance, and to leave untried no means of conciliation, before they proceeded to that worst and last alternative—the employment of a military force, ending, as but too frequently happened, in bloodshed and death. The noble Earl was wrong, therefore, when he said, that the military should have been called in earlier. Be that however as it might, the fact of the late tumult at Limerick was a sufficient proof of the extent to which distress had arrived in that country, since it appeared, from all the statements, that the outrage was not dictated by a feeling of hostility towards the parties whose premises were attacked, but arose entirely from the determination of a starving multitude, to procure food by any means and at any risk. From the accounts since received from every part of the country, an impression seemed to prevail, which he feared was but too well founded, that the country was threatened with all the horrors and calamities of actual famine. He asked the noble Duke opposite, therefore, who was induced last Session, by the menaces of the Catholic Association, to adopt a measure contrary to his own declared opinion, in order as he avowed at the time to prevent rebellion and civil war; he asked that noble Duke, whether he considered a state of famine, or what very nearly approached to it, not as much accompanied with danger to the safety of the State, as the existence of Roman Catholic disabilities could be? He knew that the noble Duke, according to the speech which he delivered at the beginning of the Session, attached great weight to the influence of bad seasons on the condition of the poor, and would perhaps say, that he was not responsible for the deficiency of the crop. He did not mean to say that the noble Duke was responsible for that, but he contended, and was able to prove, that the distress in Ireland did not arise from the dearness or scarcity of provisions, but from the general want of employment. The distress was felt and complained of before anything was said of the dearness of provisions; and in 1822, when, according to the doctrine of Lord Liverpool, the distress of this country arose from a superabundance of produce, that melancholy fact was partially proved; for under all the advantages of an abundant harvest, the greatest distress existed in Ireland, and a great portion of the produce of that country was exported, although the people were at that time actually perishing with hunger. In the Report to which he had already alluded it was stated, that no scarcity of provision existed, but that the price was beyond the means of the poor. Their Lordships, however, instead of considering of some means by which employment might be offered to the famishing population of Ireland, had been amusing themselves for a considerable time, in an inquiry respecting the franchise of the borough of East Retford, as if the corrupt practices which prevailed at elections were not matter of general notoriety. In one-half of the time which their Lordships had wasted in this vain inquiry, they might have thoroughly digested some plan of relief for the unfortunate and suffering population of Ireland. He regretted, indeed, that the plan proposed by the noble Marquis, who, sitting behind the noble Duke at the head of the Government, had, consequently, a greater claim upon their Lordships' attention than those Peers who sat at his side of the House, had been abandoned for the present Session, because that measure would have proved most beneficial. He was ready to admit that such a bill should be considered with due care and attention; but at the same time he must express his regret, that something of the kind had not been carried into effect this Session. That, however, like many other measures which would tend to the public advantage, had been thrown aside, in consequence of the extreme impatience (which could not, in his opinion, be justified on any principle of public expediency) to dissolve the present Parliament. The country was on the eve of a general election; the people were about to exercise one of their dearest and most valuable privileges; and a few months would shew whether the English Constitution, which had been represented to be the envy and admiration of other countries, was in fact a real and substantial good, or whether it was only a mere shadow, or, still worse, a convenient engine of extorting from the people a greater amount of taxation than they would otherwise be called upon to pay. It was not his intention to propose any inquiry, either by a committee of the whole House, or by a Select Committee, as to the particular grievances which oppressed the people, and to which he had thought it right to call the attention of their Lordships. Those measures which were just and proper—which would have been wise and practicable at the commencement of the Session—became, at the conclusion, hopeless and futile. But when it was found that the sufferings of the people were not alleviated, that no attention had been paid to them, and no inquiry made into their cause, could their Lordships wonder that the cry for Parliamentary Reform should grow loud and general? He had no hesitation in avowing that he was a zealous friend of such a Parliamentary Reform as could, according to the language of the general petition from Kent, be brought about upon proper principles. At that late period of the Session it was vain to expect any new measure to be adopted; but it would be the duty of Parliament, at an early period in the ensuing Session, to adopt that which might be considered as a preliminary measure; namely, some means to prevent those corrupt practices which were known to prevail. The period of the Session removed the possibility of any inquiry being then commenced; but he wished to ask the noble Duke whether, in the short time which might yet elapse before the dissolution, he had any intention of proposing any grant or vote of public money for the relief of the distress which existed in Ireland? The petition which he had the honour to present, proceeded from certain proprietors and occupiers of land in this country, who, in addition to the interest which they felt in the prosperity and welfare of every part of the kingdom, were more particularly interested in the well-being of the Irish poor, who, from their wretched poverty, were induced to migrate to this country, where, especially in the county of Kent, they became exceedingly burthensome. In conclusion, he begged leave to read the prayer of the petition, which was in these words: "Your petitioners being most anxious that the horrors and calamities of actual famine with which Ireland appears to be menaced may be averted, earnestly entreat your Lordships to take the subject into your most serious consideration, and that you will grant such relief as the emergency of the case requires."

The Earl of *Limerick*, begged to trespass on their Lordships' patience for a few minutes, but labouring, as he was, under very severe indisposition, he should not offer himself to their attention, but for certain remarks which had fallen from his noble friend, who, with the knowledge of their Lordships' orders which he possessed, had dexterously avoided any direct breach of form, and yet had contrived to allude to him (Lord Limerick) in an individual and personal sense. The noble Earl had stated, that a person who bore the name of the town of Limerick had stated circumstances to the House which he did not conceive were founded in truth; and he then went on to state the reasons which had induced him to come to that conclusion. Setting aside for the present what was directed personally against himself, he would call the attention of the House to the general statement of the noble Earl. After having entered somewhat minutely into the nature of distress, he was pleased to threaten the whole country of Ireland with the horrors of famine. He hoped that the noble Earl's apprehensions, which were no doubt very poetical, would not be realized. For his own part, he did not believe that they were well founded. The noble Earl said, that he could not agree with the opinion expressed on a former occasion, that the Magistrates were to blame in not having sooner called in the assistance of the military, in the late riot at Limerick. He had not stated any such thing. He had said, that the troops were out quite soon enough, but he had blamed the Magistrates for not being present to direct their operations. The noble Earl spoke of the affair as a scene of terror and confusion arising from the desperate determination of a starving multitude to obtain the means of existence; but that was not a correct view of the subject. He did not take his statements from Newspaper reports, nor ground them upon the opinions of would-be politicians, but from letters which he had received from most respectable merchants, some of whose magazines were attacked by the mob. He believed that the whole originated in the mischievous disposition of a parcel of boys, who, if a single peace-officer, of any kind, had appeared, would have immediately dispersed; but, being allowed to proceed without molestation, they were joined by a number of idlers, always ready for mischief, and then proceeded to commit those acts of violence, which, finally, led to the necessity of calling in the military. But in all the letters which he had received, and they were from authorities which could not for one moment be doubted, it was distinctly stated, that not one distressed person joined the mob. The noble Earl, he thought, had taken a very injudicious step in calling public attention to this subject, for it was probable that the agitation of it at the present moment might lead to many mischiefs, and, not improbably, create another riot similar to, and, perhaps, worse in its consequences than that to which the noble Earl had alluded and which he so much deprecated. Since the passing of the Catholic Relief Bill, all had been peace and tranquillity in Ireland, except those occasional exuberances of animal spirits which naturally belonged to the Irish character. He would not undertake to say that the distress of the people had been entirely removed; but, in consequence of the large and liberal contributions which had been entered into, it had been very considerably alleviated. The price of provisions, too, had of late fallen in no trifling degree; and from this circumstance, as well as from the liberal aid of the richer classes of the Irish community, he had very little doubt that, in a short time, all the symptoms of distress would disappear. He did not mean to say that there was no distress in Ireland; on the contrary, he admitted that distress existed to a very considerable extent. Whence did it arise? was it from want of provisions? No; but from want of employment. He repeated, it was from the want of employment, arising from the distress of the middle classes, who had not the means of employing the poor. All the richer classes had contributed for the relief of the distressed. The Bishop of Limerick, with the spirit of liberality and humanity which had ever distinguished him, contributed very lately 100*l.*, and many of the merchants had given very largely, in short, every person concerned had subscribed to the full extent of his means. His noble friend had taken the opportunity of presenting this petition, to deliver a philippic on the state of Ireland. His speech, indeed, had embraced a variety of subjects, and might truly be said to be *de omnibus rebus et quibusdam aliis*. The petition came from Kent, and appeared to have been got up, because the petitioners were afraid of having a number of the suffering Irish quartered upon them during the ensuing season. It was very well known, however, that if the Irish did not come over, the hop-picking could not go on. A sufficient number of hands could not otherwise be obtained. It was well for the people of Kent to look to themselves and to their own interests, but, for God's sake, when their Lordships had a petition from Kent under consideration, let them leave Ireland alone. To make a period, or point a sentence, the situation of that country had long been the favourite subject, the hackneyed theme, of every puny politician, or vain-glorious orator. Ireland would do very well if she were left alone. The rage of innovation, the march of intellect, the desire to overthrow that which was old, and to establish that which was new, had its influence there; and he was, therefore, afraid that the agitation of this question (however excellent the motives by which it was dictated) might give rise to mischiefs which would otherwise have been avoided.

The Marquis of *Londonderry* denied that there was general distress in Ireland, and stated, that the people were never better off than now.

The Duke of *Wellington* wished to state that it was not the intention of his Majesty's Government to propose any grant of money for the relief of Ireland.

The Earl of *Darnley* should have been glad to hear of some substantial relief for Ireland, but he did not think the emission of paper money would give that relief. He was happy to be able to inform their Lordships, that the price of potatoes had lately fallen considerably, and that there was a chance of the people of Ireland obtaining relief.

Lord *Teynham* begged to inform their Lordships, in support of the petition, that there was great distress in Kent.

Petition to lie on the Table.

APPROPRIATION BILL.] Lord *Durham* moved, that the Appropriation Act be printed. That Act was the only constitutional means by which their Lordships could ascertain in what manner the revenues of the country were applied, and therefore he thought that it was fitting the Act should be printed. Doing so was warranted by tradition, though not by the late practice of the House, and he did not see why that practice should not be again had recourse to.

The Earl of *Lauderdale* had never heard of such a course. He had, in his time, been as much in opposition as the noble Lord, but he had never thought of moving for the printing of that bill.

Lord *Durham* said, he did not do it for the purpose of opposing the Government, but that he might, as a Peer of the realm, make himself acquainted with its contents in the best possible way.

The Earl of *Eldon* said, that he had never heard of the Appropriation Act being printed.

Lord Durham's motion negatived without a division.

HOUSE OF COMMONS,

Friday, July 9.

MINUTES.] The Beer and Cider Duties Repeal Bill, the Exchequer Bills Bill, the Militia Pay Bill, and the Stage Coach Proprietors Bill, were read a third time and passed.

Returns ordered. On the Motion of Mr. K. DOUGLAS, the Duties levied on United States articles imported into the West Indies, the Salaries and Emoluments of Custom-house Officers in the Colonies:—On the Motion of Sir J. MACKINTOSH, Droits of the Admiralty and of the Crown, from 1793 to 1815, the sources whence they came, and how applied.

Petitions presented. For a better supply of Water, by Mr. Alderman WOOD, from South Lambeth. Against the Spirit and Stamp Duties (Ireland), by Mr. CORRY, from the Freeholders of Tyrone. Complaining of the Conduct of Lord C. Somerset, as Governor of the Cape of Good Hope, from Mr. Bishop Burnett, by Mr. BROUGHAM. Against the Renewal of the East-India Company's Charter, by Mr. C. BULLER, from Ashton-under-Lyne:—By Sir T. MOSTYN, from the Freeholders of Flintshire. For Protection to West-India Property, by the Marquis of CHANDOS, from the Proprietors of Demerara:—By Mr. K. DOUGLAS, from West-India Proprietors residing in Glasgow. For the remission of the Duties on Bricks and Tiles, by Mr. FORESTER, from the Brick-makers of Broseley and Dawley. For the abolition of Colonial Slavery, by Mr. S. RICE, from Dissenters at Leeds. In favour of the Northern Roads Bill, by Lord MORPETH, from the Magistrates of Inverness and Nairn.

NEW SOUTH WALES.] Mr. *O'Connell*, after stating that a convict named Dennis M'Hue, who had been banished under the Insurrection Act, had left behind him property in the Savings-bank at Sidney, to the amount of 100*l.* which his widow had been unable to recover, moved, "That an humble Address be presented to his Majesty, praying that he would be graciously pleased to order that there be laid before the House a copy of the depositions and other proceedings against Dennis M'Hue, a prisoner of the Crown in New South Wales, and any correspondence which had taken place on the subject of his removal, with the return made to Government of his death."

Mr. *Hume* took the opportunity, in consequence of what had occurred in the House yesterday on the subject of New South Wales, of saying, that the opinion which he had formed of General Darling, was founded, not on the case to which his hon. friend, the member for Clare, had just called the attention of the House, nor on the case of the petitioner of yesterday, but on what appeared to be the general tenour of his conduct. From every quarter he had heard of charges against him. Indeed, he submitted, whether the bare fact that a Governor of a colony found it necessary to have recourse to prosecutions for libel against himself, the unfortunate libeller being tried by a Jury of seven officers, selected by the Adjutant, ought not to open the eyes of the right hon. Gentleman, and convince him that there was something not right, which it was attempted to stifle? These pretended libels were read in the House the other evening, and he was persuaded that not even the Attorney General of this country, with all his soreness on the subject, would consider them deserving of notice. When he saw General Darling, however, prosecuting for libel every Newspaper in the colony, it was, in his opinion, at least *prima facie* evidence that there was something wrong in his conduct. The right hon. Gentleman might refuse to call the Governor back to answer for his conduct; but, in the next Parliament, it would be indispensable to bring the subject again under the consideration of the House. He hoped, however, that care would be taken to retain the individual whose petition was received yesterday, that he might be a witness on the case, and not be sent out of the way, to some distant settlement, as his evidence must be of considerable importance. He had been requested by his hon. friend who presented the petition yesterday, to state, that the petitioner had considered it unnecessary to mention any of the circumstances which had occurred at Chatham, and which had occasioned his imprisonment. The Serjeant there had ordered him to receive some coffee instead of soup; he refused, as it was contrary to the regulations of the army, and, because he would not pay for the coffee, he was declared guilty of what was termed insubordination, and remained in the guard-house nine weeks, waiting for the decision on his case of the Commander-in-chief, when he was condemned to two months' imprisonment and hard labour; a sentence, however, which was not carried into execution, as it was declared to be contrary to law. It was singular that the officer who took the most active part against the petitioner at Chatham was Captain Gray, who was Adjutant at Sidney when the petitioner's original punishment took place. There might be nothing in this coincidence, but the unfortunate petitioner found it difficult to separate the two circumstances. He would now advert to the Address which had been presented in the colony to General Darling, a copy of which he held in his hand. It was signed by 115 persons out of a population of 30,000. That Address was prepared by the Colonial Secretary, and was carried round privately for signatures. If General Darling had been conscious that his government deserved approbation, he would have called a public meeting, such as that in February last, when 400 or 500 persons assembled to petition for an extension of their rights. Of the 115 persons who had signed the Address, forty-five were Magistrates (out of 150 in the colony); twenty-two were persons who had not been six months in the colony; twenty were persons who were petitioners for lands and other benefits at the disposal of the Governor. Such was the way in which this Address had been got up. He was prepared to prove, that an officer who had refused to sign it had been since sent home. In fact, the power which the Governor possessed in the colony was much greater than that of the King in England. He could grant 1,000 or 2,000 acres in any favourable spot. He could grant to any individual as many servants as he chose. He could create Magistrates. He could give importance to any one. With so much influence, the wonder was, that there were so few signatures to the Address. He understood that several of those who had signed the Address had since received grants of land. If the right hon. Gentleman opposite would look at the list of grants, and then at the list of the signatures to the Address, he would find among the latter the names of several persons who had recently arrived in the colony, and who had since received grants of land. It was a singular thing, that out of 115 persons who had signed an Address, declaring that the Governor had been traduced by the Press, ninety-six took in the identical papers, the conductors of which, they declared had behaved so extremely ill. The means which the Governor had resorted to for protecting his character were such as must destroy every paper in the Colony. In the next Session he hoped that the subject would be brought fairly forward, and that justice would be done to the colony. If Governor Darling should be able to disprove all the charges preferred against him, he should be most ready to allow that he had been deceived. He was at present, however, satisfied that such was not the case, and that the interests of the colony of New South Wales required the removal of the Governor, and the placing of the colony under the influence of the English laws, so that no man should be allowed to promulgate what law he pleased.

Sir *M. W. Ridley* begged, in justice to himself, to state some facts, which he believed were more deserving of credit than those alleged by the hon. member for Aberdeen; and which he was prepared to prove, either at the bar or in a committee. He could assure the House, on good authority, that the Address which had been presented to General Darling was the spontaneous feeling of the individuals who signed it. It was signed by 115 persons, none of whom were connected with Government, or held any office under Government. Of the Legislative Council, consisting of ten members, five had signed the Address; but they had no situation under Government. The person who first signed the Address had signed the petition for a Legislative Assembly in New South Wales; he was not in the Legislative Council, and considered that he had been ill-used in the colony. There were others who thought themselves aggrieved persons, but who had, nevertheless, put their names to this paper, declaring that they did not consider that the conduct of General Darling had been in any respect illegal, unjust, or unnecessary. Among the earliest signatures were the names Robert Campbell and Jones—persons of the highest respectability. It was said by an hon. Gentleman yesterday, that the present Governor had instituted more prosecutions for libel than any of his predecessors. The fact, however, was, that previous to the government of Admiral

Brisbane, there was no free press in the Colony; and previous to Governor Darling, only one Government Gazette; so that prosecutions for libel were impossible. Whether Governor Darling had been too strict or arbitrary he could not say, but he knew that the Address in question had been signed by the most respectable merchants, traders, and landholders in New South Wales, and that it had not been obtained in an underhand manner.

Sir *G. Murray* said, that the hon. member for Aberdeen stated the information, which he had probably derived from some of the most violent and prejudiced persons in the colony, as if he had received it from the most authentic sources. That hon. Member, as well as the hon. member for Clare, had talked of the danger of an abuse of power in the colonies; but might there not also be abuse of power by a Member of that House? Might not an hon. Member of that House throw out imputations upon a public officer, derived from sources unworthy of credit, but which received importance from the distinguished station of the person who uttered them? He confessed that he could hardly conceive a more indiscreet use of the privilege of speech, conceded to the Members of Parliament; especially where the individual charged was at such a distance that he had no means of making an immediate reply. The hon. member for Aberdeen had, for instance, read the statement of the soldier himself, as if it could be considered authentic. As to the Address which had been alluded to, he (Sir George Murray) had no doubt of the respectability of the individuals by whom it had been signed; but it was not for him to be influenced by any consideration of that nature; by the evidence, and by the facts alone, must he be guided. At present, he felt perfect confidence in the Governor; but if, on strict investigation, it should appear that his conduct had been improper, he would certainly not defend it. But he must strongly object to such statements as that which had been made by the hon. member for Aberdeen. It had been imputed as a crime to General Darling that the Juries in New South Wales were military; but that was in conformity to the regulations of the Act of Parliament.

Mr. *Hume* said, he was willing to produce evidence at the bar in proof of the charge.

The *Chancellor of the Exchequer* said, that to produce the evidence of the accused, in proof of his own charge, was not what he called satisfactory proof.

Mr. *Hume* said, he would also produce other witnesses to substantiate the charge.

General *Grosvenor* knew General Darling to be a man of mild temper and humane conduct, and he could not, consequently believe him guilty of the conduct imputed to him.

Address agreed to.

LABOURERS' WAGES BILL.] Mr. *Littleton* stated, it was not his intention to proceed further with this Bill during the present Session. He felt deep regret at being obliged to give it up, not from his private disappointment, but from the great injury which would be inflicted on the manufacturing districts by the postponement of the measure, particularly as it had been supported by a great number of leading Members on both sides of the House. He then moved that the House resolve itself into a committee on this question that day month.

Mr. *Brougham* concurred in the feeling of regret that the measure must necessarily be postponed, and expressed his determination to support it next Session. He was friendly to the principle of non-interference between master and workmen, but he did not consider this Bill an exception to that principle.

Sir *R. Peel* did not think the principle of the Bill was opposed to the sound doctrines of commercial intercourse.

Motion agreed to.

CONSOLIDATED FUND APPROPRIATION BILL.] On the Motion of Mr. Herries, the Consolidated Fund Bill was read a third time. On the question that the Bill do pass,

Mr. *Davenport* said,—Sir, before this question is put, I wish to draw the attention of the House to a matter of great importance. The subject I allude to is that of a general reduction of all salaries, and this is more particularly necessary in consequence of what happened a few days ago, when the moderate, and, I might say, too liberal proposition of my hon. friend, the member for Aberdeen, to reduce the salaries of the Judges to only double what they were in 1792, was rejected by a majority of 3 to 1. There were on that occasion only 11 out of 658 Members of this House who voted in favour of the proposition, and of the 37 who voted for the continuance of the present high salaries of the Judges, a number equal to the minority belonged to the learned profession, out of which Judges are selected. Yet it has been generally supposed, that a Parliament, when under sentence of death, has more compassion towards the people than at other times, and that the concern for the public good of a dying Parliament, like the music of the swan, goes on increasing in proportion to the approach of death. But, Sir, it will appear, on the contrary, that there is no intention to reduce salaries; it seems that every thing else is to come down, such as profits from trade, land-rents, and the prices of labour—but salaries to public officers are to be maintained at the war standard. But will the country bear this? will it endure that public men shall augment the burthens of the country in a proportion nearly double, by augmenting their own salaries, and rendering themselves the only parties exempt from the distress and the privation which all others suffer? I trust, that at the next election a pledge will be exacted from every Member on a subject of such vast importance to the country. I trust, this House will bear in mind the Minister's assertion, that the wages of labour in England are to accommodate themselves to the prices of the continent. Since this is the principle by which we are to be governed, why not apply it to the State labourers? How can they in common honesty or decency help themselves (for with such a House of Commons as this they have only to help themselves) to salaries kept up to the highest rate of prices at the time of the war, while they have lowered all wages except their own. This, Sir, I say is the natural consequence of recruiting the Cabinet out of counting-houses and shops. It would not have been endured before the monied interest had reached its present ascendancy. During the last four years I have been endeavouring to impress upon the House the necessity of reducing the salaries of public officers. Has the House done this? If we refer to the reports on the Table, we shall see the whole army of official servants now receiving the same, or nearly the same, amount of pay as during the continental war, when prices were forty, fifty, and sixty per cent higher than they are at present. I wish to hear what reduction of salaries in conformity with the altered circumstances of those whose labour pays them, any member of Government will propose? At present I hear of no instance of the kind save that of the Lord Lieutenant of Ireland, who, following the illustrious example set by Lord Camden, has given up part of his emoluments. Yes, I have heard of another instance, that of the cats at Duncannon Fort being put upon half allowance, in order, I suppose, to propitiate the rats. I wish Government would do the same by their rats as they do by their cats, and that would satisfy me. I recollect the only answer I got on this point, in the year 1827, was from the right hon. member for Liverpool, who said, that "if it was thought that public officers received too much,"—were they to suffer a reduction? No, but that—"a tax ought to be levied on all property generally." Here was a servant settling the amount of his own wages, and when his master (ruined, observe, by his counsels) wishes to economise, he cannot consent to curtail his wages unless his master consents to a further destruction of his property.

The Bill was passed.

Libel-law Amendment Bill.] The Attorney General moved the Order of the Day for the third reading of the Libel-law Amendment Bill.

Mr. *Hume* rose, to put a question to the hon. and learned Gentleman. He had understood that the clemency of the Crown had been extended to various capital offenders under sentence. He thought there were some minor offenders to whom mercy might also be advantageously extended, without any detriment to the administration of justice. He wished to know whether a pardon was likely to be granted to Mr. Alexander, who was in confinement for libels published in the Morning Journal newspaper? He really thought that when murderers were pardoned, Mr. Alexander might well become an object of clemency.

The *Attorney General* said, he had no concern with the subject alluded to by the hon. Member, but was still of opinion that the course pursued towards Mr. Alexander was correct.

Sir *R. Peel* said, that he would not be a party to bringing into discussion the most valuable prerogative which the Crown possessed—he meant the prerogative of mercy. The hon. Member had stated, that the Royal clemency had recently been extended to criminals convicted of murder. He (Sir R. Peel) could assure the hon. Member that no such extension of the Royal clemency had taken place.

Mr. *Hume* said, that there had been an extension of it to several persons convicted of capital crimes, and among that number he supposed that there had been some guilty of murder.

Sir *R. Peel*, in reply, stated, that he supposed that the hon. Member must be alluding to what had occurred on the Recorder's list of convicted criminals being laid before his Majesty. A report of the cases of criminals convicted at the Old Bailey was, as the House well knew, periodically laid before his Majesty; and on the last occasion, it so happened, that the report was made immediately after his Majesty's first accession to the Throne, and Ministers did not see any reason to advise his Majesty to carry the sentence of the law into execution. Ministers would, however, have acted very improperly if they had advised his Majesty on account of his accession to remit the sentence of the Court in any case where it was expedient it should be carried into execution. The hon. Member was not to suppose that his Majesty would have abstained from letting the law take its course if the interests of justice had at all demanded it.

Bill read a third time.

The Attorney General proposed an Amendment to increase the amount of recognizances.

Lord *Morpeth* said, that as the hon. and learned Gentleman had moved his Amendment without a word of explanation, and with a brevity which, though it might be very satisfactory to the hon. and learned Gentleman, was not very decorous to the House, he would not enter into a repetition of the arguments which he had formerly used, because, as the House had not heard a single argument to change the opinion which it had expressed on a former evening, he could not suppose that it would consent to impose fresh burthens on the Press at a time at which it was professing to relieve it.

Lord *Howick* wished to know what the Amendment was on which he had to vote. For his own part, he had not heard, and therefore was unable to comprehend it.

Lord *Morpeth* said, that the hon. and learned Gentleman had originally proposed, by a clause in this Bill, that the recognizances entered into by the proprietors of newspapers should be increased by an additional 100*l.* He (Lord Morpeth) had moved in the committee that that clause should be expunged, and his motion was carried. The hon. and learned Gentleman was now, after the decision of the committee against him, proposing that his original clause should be restored.

Lord *Normanby* stated, that the manner in which the hon. and learned Gentleman had introduced this Amendment was of a piece with his whole official conduct. The hon. and learned Gentleman was the last man to whom he would intrust any additional power which might be converted into an engine of oppression towards the Press. He thought that it was advisable for him to make that statement in his place in Parliament. He hoped that other Members, who thought like him on this subject, would imitate his example; for he could assure them, that in the country, the Whigs generally were sharing much of the unpopularity of the Whig Attorney General.

The *Attorney General* said, that upon this occasion he should waive all discussion of his own general conduct, and should pass over without notice the unlooked-for indignation with which the noble Lord had just attacked him. Sorry as he might be for having excited it, he had at least the consolation of knowing that he had done nothing which could justify it. In reflecting upon his conduct towards the Press since he had been Attorney General, he found no reason to repent, and no wish to retract, any thing which he had done. With all the respect which he felt for the noble Lord opposite, he must still say, that he (the Attorney General) was not responsible to him for his conduct. If the noble Lord, or if any other individual, would bring his conduct fairly before the consideration of Parliament, he would be ready to meet and answer the attack. It was not, however, becoming hon. Members to call on him, without previous notice, to refute opinions which they might entertain respecting his official conduct, especially as he had heard nothing which could lead him to wish that conduct altered even from those whose opinions he regretted to find in opposition to his own. He assured hon. Members that it was not from any want of respect towards the House that he had proposed his Amendment without explanation. He conceived that it was already sufficiently well known, and he conjectured from the large attendance of Members that it was equally well known, that he intended to take the sense of the House upon it. The history of the measure was shortly this:—his object was, to restore the Bill to the form in which he had originally introduced it into the House. He had not been prepared to expect that a division would have taken place upon it in the committee. His noble friend opposite (Lord Morpeth) had told him that he was averse to the clause in question; but when his noble friend made that representation to him, he had understood that representation, though he was certain that the noble Lord had no wish to mislead him, to signify that it was not his intention to divide the House upon it. In a very small House, however, a division had taken place upon it. There was that evening a larger attendance of Members present, and he was desirous of knowing whether the House was of opinion that the amendment which had been agreed to on the former evening should still remain part of the Bill. He had not added anything to the Bill as it stood originally; he was only attempting to bring it back to its first condition. It was understood by the noble Lord opposite,—for he had himself made the communication to the noble Lord,—that he would upon the present evening make such an attempt. The only object which he had in view in proposing his present Amendment was, to give to private individuals an opportunity of recovering the damages awarded to them by courts of law for libels, which they had at present no means of obtaining. He was of opinion that the scape-goat, who was put in at the Stamp-office, and who frequently was not able to pay either damages or costs, would not be allowed to go scot-free, as he often did at present, and therefore it was, that he proposed a measure, by which the real proprietors would be made liable to the inconvenience of paying damages for the slanders which their capital sent into the world. He hoped that he was not amenable to the censure of the noble Lord for wishing to protect individuals from the injury which was often done them by the invention of the most wanton falsehoods. That such falsehoods were often wantonly invented, no man could doubt. He had read recently two or three debates, as they were called, of that House, which were mere matters of invention, made for the purpose of attacking either the speakers or those against whom the speeches purported to be spoken. The private slander of the Press had not met with that reprehension which, in his opinion, it merited. He had taken the liberty of mentioning on a former evening the case of "*The Age*" newspaper. The person formerly entered as proprietor of that journal was now in prison, in consequence of the many verdicts for damages which had been found against him. It turned out that he was not the person receiving the profits of the paper—a statement which he had seen under the hand-writing of the individual himself. In the meantime he lived comfortably in gaol, and the real proprietors of the paper paid neither damages nor costs. His object was, to put a stop to such a system, and to make those who received the profits pay the punishment of the slanders which they propagated.

Mr. *P. Thomson* said, that he would shortly state the reasons why he voted for the proposition of the noble Lord near him, and not for the Amendment of the hon. and learned Gentleman opposite. In so doing, he wished not to refer to any extraneous topics, but to confine himself entirely to the Bill then before the House. He acquitted the hon. and learned Gentleman of having any other design than that which he had avowed. He should, therefore, have had no objection to vote for his Amendment, if he could have imagined that the hon. and learned Gentleman's object would be more effectually accomplished by it than it would be by the Bill in its present shape. The hon. and learned Gentleman said, he should give to individuals who might be injured by libels a better opportunity of recovering the costs which courts of justice might award them. Now, as he read this Bill, they would be able to recover those damages already; for the Bill already required that a security of 300*l.* should be given, and the Amendment only increased that security to 400*l.* To him, it appeared, that 300*l.* was ample security for any costs which might be awarded. To call for larger security was only inflicting an additional hardship on the Press, without giving any additional advantage to the public.

Lord *Howick* was glad that he at length knew the nature of the Amendment. He could not, however, agree to vote for the retention of the words which the Attorney General proposed to continue in the Bill. His vote must be against them, not merely for the reasons given by his hon. friend, the member for Dover, but also for this additional reason—that they went much further than many hon. Gentlemen supposed. The Amendment more than doubled the existing securities. A person who intended to start a newspaper, was called upon at present to enter into recognizances of 300*l.* if he started it in London; of 200*l.* if he started it in the country. Lord Castlereagh had originally fixed the amount of the recognizances at 500*l.*, but had afterwards reduced it to 300*l.*, as any body might see by referring to the Parliamentary History. Now the hon. and learned Gentleman, by calling upon individuals to find two sureties to join him in a bond of 400*l.*, actually called upon him to find security for 800*l.*

The *Attorney General* interrupted the noble Lord to observe, that though, in a joint bond for 400*l.* given by two persons, each party was liable to pay the sum in case the other party failed to pay his proportion, it was not fair to say that the security given was for 800*l.*

Lord *Howick* reiterated his statement, and contended further, that the hon. and learned Gentleman had not mentioned one fact, nor adduced one argument, to show that the increase of the recognizances was necessary. The noble Lord then referred to a speech delivered in 1819, against the Newspaper Stamp Duties Bill, by an hon. Member (the Paymaster General) whom he then saw on the Ministerial benches. He trusted that the friends of the Press would have the benefit of that hon. Member's vote on the present evening; for he had formerly asked whether that bill was not a control upon the liberty of the Press, and whether there was any necessity for making such an alteration as it was calculated to make in the Constitution of the country. He (Lord Howick) contended, that it had not been proved that any alteration in the law of the Press was at present necessary. The recent prosecutions against Mr. Alexander, which proved that the law was at present able to overwhelm any individual against whom its terrors were invoked, proved also that it was not necessary to aggravate the severity of the existing law. Above all, he saw no reason why the power of the Government to control the Press should be increased at the present moment.

Mr. *Warburton* said, that if the Amendment of the Attorney General should be carried, persons who intended to set up new newspapers would be compelled to enter into larger recognizances than those which were demanded from the proprietors of old newspapers. This, he thought, was unfair, and he had stated his reasons why on a former occasion. The old newspapers had power, protection, and patronage—advantages which no newspaper at its first commencement could possibly possess. The property of some established newspapers had been sold for 100,000*l.*; to them these recognizances might be nothing, but to the proprietors of a new journal, who had to provide a capital of 30,000*l.* or 40,000*l* to start it, every additional 100*l.* for which they had to provide was a matter of difficulty. He could not see any just reason why the proprietor of a new journal should be liable to heavier recognizances than the proprietors of the old ones. If any favour ought to be shown to either, he thought that it should be shown to the party which was entering upon a new speculation.

Sir *M. W. Ridley* said, he should vote for the clause which had been introduced into the Bill by the noble Lord. In voting against the Amendment of his hon. and learned friend, he begged leave to have it distinctly understood, that he was not actuated by the motive avowed by the noble Lord near him (Lord Normanby).

The House divided—For the Amendment 68; Against it 47—Majority 21.

List of the Minority.

Attwood, M.
Buller, C.
Baring, B.
Batley, H.
Colborne, N. R.
Cavendish, W.
Cave, O.
Cavendish, Hon. H.
Ducane, P.
Dick, Q.
Davenport, E.
Evans, De Lacy
Ellis, Hon. A.
Euston, Earl
Fortescue, Hon. G.
Grattan, H.
Hobhouse, J. C.
Hume, J.
Howick, Lord
Heathcote, J. J.
Kemp, Hon. R.
Killeen, Lord
Lennard, T. B.
Monck, J. B.
Macauley, C.
Macdonald, Sir J.
Martin, J.
Normanby, Lord
O'Connell, D.
Phillimore, Dr.
Pendarvis, E.
Pallmer, C. N.
Ridley, Sir M. W.
Robinson, G. R.
Rice, Thos. S.
Scott, Hon. J.
Smith, W.
Smith, Vernon
Trant, Henry
Vyvyan, Sir R.
Warrender, Sir G.
Wall, Burney

Ward, J.
Wood, C.
Wood, Ald.
Western, C. C.
Warburton, H.
Wilson, Sir R.

TELLERS.

Morpeth, Lord
Thomson, C. P.

The Attorney General then proposed the other verbal Amendment necessary to complete his clause.

Mr. *Hobhouse* expressed a doubt whether, as the Amendment was carried, the country was in any better situation, as far as this Bill was concerned, than it was before. His reason for entertaining such a doubt was, that even while the law inflicting banishment for a second conviction for libel stood upon the Statute-book, every body knew that it never would be carried into execution. The clause, therefore, which the Attorney General had introduced into this Bill, was an additional manacle upon the Press. He conceived it to be very hard on those who had to acquire their subsistence by their intellectual attainments, that they should be punished in their pockets before they had shown any disposition to commit an offence. It was quite time enough to punish crime when it occurred. This new clause would not render those who had embarked a large capital in newspapers better: it would only throw obstacles in the way of those who wished to commence them with a limited capital. Would a great and widely-circulated paper like "The Times" care one straw about furnishing this additional security of 100*l.*? Not at all. This clause, therefore, would have no effect on the large capitalists, whatever it might have upon the small. Indeed, the only effect which it was certain to produce was, to place the Attorney General and the rest of the King's Government in a point of view not so good as that in which they would otherwise stand. In short, it would irritate many; but it would not restrain a single individual who was likely to be dangerous. He did not wish to forget what the Attorney General had attempted upon the subject; if the hon. and learned Gentleman had not done all that might be wished, he had at least done something. There were, however, other parts of the law affecting the Press, besides that now under discussion, against which he was desirous to enter his protest, as they also affected the small capitalists. He found by a return which had recently been placed upon the Table, that 147 prosecutions had recently been instituted by order of that department of the Stamp Office, which took notice of the pamphlet stamps. Those prosecutions were authorized by a law which was quite as injurious to the small capitalists as the Newspaper Stamp Duties Acts. If this Bill were intended as a boon, it would not be received as such by the country, for it was only calculated to irritate, without having any power to restrain those who conducted the Press of the country.

Sir *R. Peel* said, he was sorry that the early part of this discussion had been mixed up with reflections of a personal nature on his hon. and learned friend, the Attorney General, for he was certain that this measure was one which in the opinion of the well-meaning part of the community would reflect credit upon his hon. and learned friend. Yes, he repeated the expression, it would reflect credit on his hon. and learned friend. Those Gentlemen who supposed that his hon. and learned friend was courting the favour of either the Press or the public in bringing this Bill forward, might think that his hon. and learned friend would fail in securing it. But that was not the object of his hon. and learned friend. His hon. and learned friend wanted to do what was just and right, being indifferent, in the first instance, to popular applause, and being fully satisfied that the time would at last come when his motives would be properly appreciated. He had always understood, that the complaints against the law affecting the Press of this country were in their nature twofold. The first complaint he understood to be this,—that the punishment of banishment for the second conviction for libel was grievous and too severe; that its continuance on the Statute-book was a reflection upon the law itself; and that, in spite of its severity, it was not valid to restrain from offence, as nobody ever thought of enforcing it, seeing that if ever it were enforced, it would be so much superior to the offence committed as to constitute a positive act of injustice to the individual on whom it might be inflicted. His hon. and learned friend had endeavoured to meet that complaint by repealing the punishment of banishment altogether, for offences of the Press. The next complaint was directed against the difficulty which there was, under the existing law, of restraining the licentiousness of the Press, and punishing its calumnies upon private individuals. Now, however anxious Gentlemen on the other side might be to defend the liberty of the Press, could any one of them deny, that of late the Press had evinced a prurient desire to examine into the conduct and character of private individuals, and particularly of females, who never ought to be needlessly dragged from retirement into public? Ought not the law to provide a remedy for such a mischief? Fictitious characters had their names entered at the Stamp Office, and thus females were left without the protection to which they were entitled, and could gain no redress from the parties who had endeavoured to inflict the severest injuries on their characters and feelings. But, said the hon. member for Westminster,—" 'The Times' neswspaper will not care for this additional security." " The Times" newspaper, and journals of the same high character, had no occasion to mind it, for papers of such distinguished character never indulged in calumnious attacks on private individuals. The high character which papers like " The Times," had to support, was a security far stronger than any pecuniary security which the Legislature could devise, that they would not disgrace their columns by the insertion of such slanders on individuals as every Member that heard him must have seen elsewhere, and as every Gentleman amongst them on seeing must have reprobated. Though individuals moving in the same rank with those whom he then had the honour of addressing might despise such slanders, and think them too contemptible for notice, there were others, who, from their situations in life, could not bring themselves to the same state of feeling, and who might receive deep and lasting injury, if they permitted them to pass unreproved. Admitting it to be true that the papers conducted by proprietors whose means were small, and capital limited, were the papers which his hon. and learned friend's Bill would most affect, was it not, he would ask, from journals of that description that these malicious and injurious calumnies most frequently proceeded? Whether it would be received by the country as a boon or not, he could not tell: but he looked upon it as an improvement in the law of libel, as it diminished the undue severity against political libels, and increased the securities by which the public ought to be protected against private libels.

Mr. *Lennard* said, that although he was one of those who were willing to receive this Bill as a boon, inasmuch as it removed from the Statute-book one of the most disgraceful and odious laws which it contained, still he could not help observing that it would have been more satisfactory to him had this Bill, repealing the punishment of banishment, been unaccompanied by the injurious clause which had just been restored to it. As allusion had been made in the course of the discussion to the case of the editor of " The Morning Journal," he would take that opportunity of stating, that he for one could not regret that that person had not been made the subject of a recommendation to his Majesty's mercy. The libels which he had published were of the most malignant and atrocious nature, and the propagation of slander against individual character ought never to be countenanced. He had, therefore, little sympathy with Mr. Alexander's libels, and if he had little sympathy with his libels, he had still less for the defence which he had had the hardihood to set up for one of them in open Court. A defence that was founded upon perjury, removed from his bosom all sympathy for the sufferings occasioned by the just sentence passed by the Court upon the individual who could be base enough to employ it.

Mr. *Hume* said, that he should always regret that the last Act of this Parliament should be an Act calculated to infringe the liberty of the Press. It was his opinion that the prosecutions which the present Ministry had instituted against the Press, had done them more injury in public estimation than any other measure which they had adopted. Although he differed from the hon. and learned Gentleman opposite as to the policy of this measure, he entertained no doubt that the hon. and learned Gentleman thought it would be of all the use which he had stated in repressing the circulation of private libels. His clause was not intended, according to the hon. and learned Gentleman's own statement, as a check upon the discussion of political topics. If, therefore, the hon. and learned Gentleman was sincere, he could have no objection to confine the increased security which he demanded from the Press to the claims of individuals injured by private libels. Would he so limit his clause?—would he add to it these words—" that the recognizances thus entered into are only to be estreated in case of conviction for libels on private individuals?" He put this question to the hon. and learned Gentleman as a test of his sincerity. For his own part, he thought such security uncalled for: he had himself always despised the worst efforts of slanderers, and so long as they kept their hands off him, people might write what they chose about him; for if his own character did not place him above the reach of their malice, the protection of the law would afford him but little benefit.

The *Attorney General* said, he had been induced to move the repeal of the banishment clause, because it had been supposed, perhaps not improperly, that it might be perverted to party purposes. He was quite conscious of the spirit in which many of the observations made that evening had been framed. An Attorney General was hardly ever popular. Of course no person would omit any opportunity of bringing him into contempt: he had been subjected to attacks, but he looked upon them with unruffled feelings. This, however, he begged to be understood,—that there had been no attempt to cajole on his part, as had been stated on a former evening. He had wished to do away with a punishment which he conceived to be injudicious, and of no benefit to the public. With respect to that part of the Bill which was objected to, he begged to state a circumstance of not uncommon occurrence. The responsible agent of a newspaper had a verdict against him of 250*l.* for libel: not a farthing of this sum could be obtained. Was it not desirable that some remedy should be applied to meet a case of this nature? That remedy was to be found in the clause which he proposed. It unfortunately was but too notorious that newspapers had been established with no other object at the beginning than the fabrication of private libels, and catering to the depraved taste of the public, which was found to be a source of great profit. It would be a vain effort to attempt to pass a law to prevent the public from taking pleasure in perusing libels. There was a natural inclination for this species of amusement. In that House it was found that a personal attack was far more interesting to the majority of the Members than a well-conducted debate on a financial topic, or any other measure of national interest. It was perfectly well known that newspapers had been established on the principle, exclusively, of attacking private character, without any party feeling whatever: he did not wish to mention names,—but he must again refer to the paper called "*The Age*," in illustration of this statement. That paper had commenced on the principle of attacking private character, without any distinction of persons or rank, or even that of sex. In conclusion, he begged the House to believe, that though he might be mistaken in judgment as to the effect of the measures he proposed, he was as sincere a friend to the liberty of the Press as any hon. Member he was now addressing.

Mr. *O'Connell* complained, that the libel law was indefinite. It had been declared a libel to state that a noble Earl was a "sheep-feeder from Cambridge." On another occasion it had been declared a libel to say that an Irish Judge was a "stout-built special pleader." This was a point upon which he thought the law of libel required altering. In the case which had been referred to, of the libels on the Lord Chancellor, the defendant would have been equally criminal in publishing the truth of a corrupt Lord Chancellor, as he was in publishing a falsehood of a pure Lord Chancellor.

On the question that the Bill do pass,

Lord *Morpeth* begged to observe, that he had nothing to do with the motives which influenced the Attorney General in bringing forward measures in that House; he merely objected to the principle upon which his legislative measures appeared to proceed; for that learned Gentleman never proposed a measure which professed to do good to the people, without at the same time doing something that was extremely disagreeable to them.

The Bill was passed.

HOUSE OF LORDS,

Monday, July 12.

MINUTES.] Counsel were heard against the East Retford Disfranchisement Bill.

The Stage Coach Proprietors Bill was read a second time. The Treasurer of the Navy, the Common Law Fees, the County Rates (Ireland), the Lunatics' Property, and the Property in Infants' Bills, were read a third time. The Exchequer Bills, the Consolidated Fund, the Warehoused Sugar, the Beer and Cider Duties, the Fisheries, and the Militia Pay Bills, were read a second time.

Returns. On the Motion of the Duke of WELLINGTON, an humble Address was ordered to be presented to his Majesty, praying that he would be graciously pleased to order that there be laid before the House, Copies or Extracts of the Correspondence of the Colonial Office with the Government of Canada, in conformity with the 31st of George the Third.

Petitions presented. By Viscount GODERICH, from Manufacturers at Church Greasely, Ashby Would, and Swadlingcote, praying for the abolition of the Truck-System. [His Lordship expressed his concurrence in the prayer of the Petition.]

By Earl GROSVENOR, from the Inhabitants of the County of Flint, for the abolition of the East-India Monopoly. By the Earl of ELDON, from the Writers to the Signet in Edinburgh, against the Court of Session (Scotland) Bill. By Lord TEYNHAM, from the Inhabitants of the Parish of Mereworth, Kent, complaining of the Distress being so great, that they were unable to collect the Poor's-rate, and of the whole burthen of the Pauper population being thrown on the Landed Interest. By the Duke of RICHMOND, from the Licensed Victuallers of Norwich and Hull, and from the Public Brewers of Hull, against that Clause in the Beer Bill which permits the consumption of Beer in the Houses of the Venders of it:—By Lord WHARNCLIFFE, from the Licensed Victuallers of Wakefield, to the same effect. By the Duke of RICHMOND, from the Chamber of Commerce at Galway, against one of the Clauses in the Galway Election Franchise Bill.

COURT OF SESSION (SCOTLAND) BILL.] The *Lord Chancellor* moved the second reading of the Court of Session Bill, and expressed his persuasion, notwithstanding the proceedings of some noble Lords, whose tactics would, he hoped, fail on this subject, that the discussion of the measure would in no way operate to its disadvantage; and that when its real nature and character were unfolded, it would receive the support of their Lordships, as it had received the almost unanimous support of the other House of Parliament. Of this, at least, he was sure, that his Majesty's Ministers could not be charged with having any corrupt interest in recommending the Bill; as one of its consequences would be, to abolish no fewer than fourteen situations of rank and emolument at present in the gift of the Crown. In considering the steps which had been taken in hostility to this measure, he wished particularly to mention the petition which had been lately presented by a noble Lord, from the Faculty of Advocates in Edinburgh, signed by the Dean of Faculty, praying for the postponement of the measure, on the ground of its importance, and of not having had sufficient time for its consideration. When his noble friend presented the petition, however, he had not mentioned some circumstances which were necessary to a due appreciation of its value. That petition, praying for delay, had not been presented by his noble friend until the month of July; but it had been drawn up and signed, and was probably in the hands of his noble friend in the month of May. Now, it appeared to him, that in fairness his noble friend should have mentioned the date of the petition; and particularly as that respectable and learned body the Faculty of Advocates had, since the preparing of the petition, appointed a committee of their own body to examine the Bill, who had investigated it clause by clause, and had subsequently at a public meeting, convened to consider the merits of the Bill, approved every part of it, and passed a Resolution, " That the Dean of Faculty should communicate their determination to such noble Lords, and Members of the other House of Parliament as had been charged with their previous petition." Now he did suppose that his noble friend had never heard of these Resolutions; for, if he had, when he presented the petition praying for delay, he would surely have accompanied it with an explanation, stating the subsequent opinion at which the Faculty had arrived. The fact was, that, with one exception—the Incorporated Solicitors of the Inferior Courts in Edinburgh—there was no substantive Petition against the measure. The object of the Bill was, to unite with the Court of Session that system of Jury-trial which had now, with general approbation, been practised in Scotland for the last fifteen years. The noble and learned Lord here entered into a description of the Bill. His noble and learned predecessor had introduced, in 1825, a measure for the administration of justice in Scotland, and it was then the general opinion, that the time was ripe for uniting Jury-trial with the Court of Session; but his noble and learned friend, with the caution which distinguished him, and which he mentioned only to praise, thought it better to pause, and to appoint a commission to consider the subject. That commission was composed of the most eminent persons connected with the law in Scotland. It had been said, that the proceeding was a partial one. He was at a loss to understand how that could be the case, for the Report was made in 1827. Three years, therefore, had elapsed; during which time the Report had been generally circulated. It was true he had received personal information that three of the commissioners, men of rank, learning, and character, had, since the completion of the Report, expressed their dissent from it in one point, which they had not mentioned during the discussions by the commission. That point was, the mode in which the union was to take place. They had not, however, as, in his opinion, they ought to have done, proposed any substitute; so that his Majesty's Ministers were at a loss to know what plan they would recommend in preference, or what was the precise nature of their objection. As, however, the great majority of the commission were in favour of the course proposed by the Bill, his Majesty's Ministers thought it their duty to adhere to their opinions. The immediate measure had this of temporary in its character, that it provided in order to prevent any awkwardness, arising from want of usage, that, for three years, the Court should consist of the Judge of the Court of Session and a Judge from the Jury Court. Other objects contemplated by the Bill were, the abolition of the Commissary Court, and of the long train of appeals which flowed from that source. The Commissary Court was composed of four Judges, who, on the average, had tried twenty-five causes in the year, only twelve of which were contested. Surely it could not be necessary to maintain four Judges for that limited extent of business. Another objection to the changes intended to be carried into effect by the Bill in this Court was, that it would increase the expense to the suitors. He denied that it would do so. He had himself seen a bill of 1,300*l.* for the costs of one trifling suit in the Court, as at present constituted, and he was satisfied that no such costs ever could be incurred under the new arrangement of the business. The noble and learned Lord then alluded to the changes in the Court of Exchequer, and observed; that it was intended to reduce the Judges of that Court to the number of two—the Chief Baron being retained as a person learned in the law of England, and one of the Puisne Barons, as a person versed in the law of Scotland. To the projected changes in the Court of Admiralty he believed no objections were taken. At the present moment, that Court was called on to decide the most trifling causes, and an appeal lay afterwards to the Court of Session. One part of the business of the Court would, therefore, be transferred to the Sheriff, and the other given at once to the Court of Session itself. The only remaining Court which he had not yet mentioned was that of the Lord Justice-general of Scotland. Every one knew that office was a sinecure, held by a noble Duke, a Member of that House, who, perhaps, except for some formal purposes, never was in a Criminal Court in the course of his life. What they proposed by the Bill was, not to abolish the office, but the salary. They proposed to abolish the salary, and to give the business to the Court of the Lord President, making it both civil and criminal. These were the principal provisions of the Bill then before their Lordships. He did not mean to say, that the measure was free from blemishes; but he believed these blemishes were merely in the details, and that none would be found in the principle of the Bill itself. He was ready, however, to adopt suggestions from any quarter for its improvement; but these suggestions, he repeated, would come with greater propriety when they were considering the details in a Committee. The Bill had one other merit. It would save about 24,000*l.* a year of the public money. He did not mean to say that such a sum was any consideration, in comparison with the improvement of the administration of justice; but when an improvement could be accomplished with such a saving, he thought that saving must be considered as an additional recommendation. Having thus stated the principle and details of the Bill, he repeated his anxiety to receive suggestions for its improvement, and moved that it be read a second time.

The Earl of *Eldon* disclaimed any disposition to meet a question of this kind with aught save that calmness, temperance, and moderation, which it required. It would, indeed, ill become him to adopt any other course with reference to the subject of judicial reform. He felt himself, however, called upon to offer a few remarks on the present Bill, from the allusions which had been made by his noble and learned friend, to the part which he had taken in discussions on propositions for introducing the English system of Trial by Jury into Scotland. It was true, that he had successfully objected to those propositions—that of Lord Grenville, in 1807, for example—but he did so in order that, if that system was to be adopted in Scotland, it would be in the manner most conducive to the real solid interests of the people of that country. He wished that such a change as the introduction of Trial by Jury would effect in Scottish jurisprudence, should be brought about with caution, and not till after full and satisfactory inquiry, and not, as with the present Bill, in a hasty manner, at the end of the Session, when there was no time for its mature discussion, on the mere recommendation of a report. He did not think that the proper time to enter into a discussion of a question of so much importance, and a Bill, brought into the House of Commons in February, ought not to be brought to the consideration of the House of Lords on almost the last day of a Session. Why should a measure of such great importance be thus hurried through, at a time which precluded the possibility of its principle and operation being thoroughly sifted? Was it not incumbent on them to let it stand over till next Session, so as to afford time for its being properly investigated. He did not oppose the Bill, but he was not disposed, at that time, to give his assent without greater deliberation and inquiry? What did the Bill do? Why, it introduced the Trial by Jury system into the proceedings of the Court of Session—a change of great importance, not only in the system of Scotch jurisprudence, but also great so far as the feelings and habits of the people of that country were concerned. It was then, as it ever had been, his opinion, that the English system of Trial by Jury was incompatible with the mode of proceeding in the Court of Session in Scotland; but he bowed to the decision of others, and then approached the question merely as one when and how a modification of the Jury-system might be most advantageously adopted in that Court. That was a most important question, which could not be fully discussed in the few days that remained of the Session; and therefore should, in his mind, he repeated, be postponed to next Session. This delay was the more necessary, for without then entertaining the question, whether the people of Scotland were generally or were not friendly to the Bill then before their Lordships, he could say, that many of the Scotch Judges were decidedly averse from it. The late Chief Baron (Shepherd,) for example, did not approve of it, and he was no mean authority. Why was that learned Judge's name omitted in the commission? [The Earl of Rosslyn said it was not; that Judge had signed the Second Report then on the Table.] He begged pardon if he mis-stated the fact. The noble and learned Lord proceeded next to remonstrate on the delay—three years—that had taken place between the report of the commissioners having been presented and its being acted on by Ministers. If the Bill then before the House was one so important, and called for, as his noble and learned friend had stated, why this delay of three years? The noble Earl also argued at some length against the inexpediency of uniting Trial by Jury to the other privileges which already attached to the Court of Session. To unite equity with law, as was done by this Bill, he was satisfied would be prejudicial; and although the Judges in Equity had the power of calling a Jury to their assistance in this country, the practice had been abandoned time out of mind. There could not, indeed, be a more perfect system for that purpose than the present, for the Judge, when it became necessary to ascertain a fact through the means of a Jury, had the advantage of sending that fact to be tried by those whose minds were unbiassed and unaffected by anything they might have known of the previous proceedings. On this account, as well as others, he objected to such a union of law and equity, and required time for more deliberate inquiry into its necessity. The present Bill, in his opinion, seemed to affix a stigma on the Judges of the Court of Session, as it induced the supposition that they were in themselves unfit to try causes without the assistance of a Jury. If the lieges of Scotland expressed a desire to have the Trial by Jury united, as was proposed, he certainly thought it right that their predilection should be indulged; but the accomplishment of their wishes would be best effected if such a change were to be made after mature deliberation. He was most anxious to accede to the popular feeling, as it respected this subject, in the mode which he believed would be attended with the greatest benefit and advantage to the parties themselves, and it was because he felt that the measure now sought to be carried would be introduced more beneficially at a future opportunity, that he opposed its enactment at such a period as the present, when they were almost arrived at the last night of the Session. He regretted too the abolition of the Admiralty Courts, but not to such a degree as he regretted the abolition of the Consistorial Courts. The Judges of those Courts had to decide concerning causes the most important to the morals and happiness of the people, and they had decided those causes with the greatest sagacity and wisdom. He had no wish to depreciate the Judges of the Court of Session, but he must say, that the Judges of the Consistorial Courts of Scotland were as eminent in their own Courts as the Lords of Session were in their Courts. The noble Earl referred to the testimony of the Chief Judge of the Consistorial Courts of this part of the island to justify this opinion. Those Judges held their offices for life, on good behaviour, and he never would give his consent to deprive them of this office. If the Bill should turn out mischievous, he had done what he could to avert the evils; if he should be wrong in his anticipations, no person would rejoice more than he at finding himself in error. He wished the Bill to be successful, though he was afraid it would not be. He had only one other observation to make, and that was, that he had received one piece of consolation from reading this Bill; for, by one of the clauses of it, he found that it was taken for granted, though not positively enacted, that his learned friend, the right hon. William Addam was to live three years longer. Now, as he happened to be much about the same age as his learned friend, he was warranted by parliamentary authority in expecting that his life also would be prolonged for three years.

The Earl of *Rosslyn* said, that he was fully sensible of the difficulty of the task he undertook, when he rose to combat any opinion of his noble and learned friend (the Earl of Eldon), and particularly on such a subject as the present. The great and numerous authorities by which he was supported on this occasion, did, however, in some measure, lessen that difficulty; and he had no hesitation in saying, that he thought it impossible their Lordships could consent to delay this measure for another year. Jury-trials had been introduced into Scotland for the first time in 1813, but on a very limited scale; they were extended in 1819, and very great alterations and extension of the system were made by an Act which passed in 1825. All these measures had received the warm support of his noble and learned friend, whom he had always understood to be anxious that Jury-trials should be introduced into the Court of Session. It was at the instance of his noble and learned friend that a commission was appointed in 1825, to inquire whether this ought not to be effected, and at what period this farther improvement should be made. The commission so appointed in 1825 reported unanimously, that in five years, at furthest, Jury-trials might, and ought, to be introdnced into the Court of Session. He had always understood that his learned friend was favourable to the opinion so expressed by the commissioners. Thus, then, the subject, had in fact, been under consideration and discussion for four years. This report of the learned commissioners had been before the public for that time: and the enactments of the Bill now on the Table, ought not, therefore, to be considered as introduced for the first time this year. The Bill was brought into the other House of Parliament in the month of February; it was then printed and circulated throughout Scotland, and it had received the approbation of the whole legal body of that country. He did not, therefore, see on what grounds their Lordships could be justified in delaying a measure so supported and so recommended, and which would confer very great benefit on Scotland. In conclusion, the noble Lord expressed his great anxiety to promote the Trial by Jury in Scotland, and he thought no measure tended more to do so than this Bill.

Lord *Wynford* addressed the House sitting. He was understood to oppose the Bill, but not from any want of confidence in the integrity, learning, and other high qualities for which the members of the Scotch Bar were distinguished. He contended, that most of what fell from noble Lords on the other side afforded the strongest arguments which could possibly be urged for that postponement which it would be the object of the motion he intended to conclude with to attain; a postponement till next Session, he thought, under all the circumstances, most desirable; nay, such as a due regard to the proper administration of justice rendered imperative. He objected to the Bill also on the ground of its not affording Jury-trials in all commercial cases. This he esteemed a serious defect, for in no cases was that species of trial more valuable than in those regarding matters of commerce, for they generally abounded in facts, which no tribunal was so well qualified to weigh and decide as a Jury of merchants. Again, he would put to his noble friend on the Woolsack, whether there were any cases that required the advantages of Jury-trial more than actions of trover in cases of bankruptcy, yet for the trial of such actions no provision was made. Though he bore testimony most readily and cordially to the high character of the

Judges of the Court of Session, yet he must be allowed to say, that the Consistorial Court had attempted to do much good; and, considering the learning and ability of the many important judgments delivered by that Court, he could not be a party to degrading its Judges into the rank of officers of the Court of Session. His Lordship then, adverting to the Sheriffs' Court in Scotland, contended that the Jury-system ought to be extended to those Courts. He denied that the Sheriffs were incapable of directing Juries, for it was the uniform practice of those officers to direct Juries in criminal cases. He observed, that they were setting up Provincial Courts now in England, with the Jury-system, of course, and why were they to deny that to Scotland, and at the same time talk of establishing a uniform system of judicature throughout Great Britain? There were great differences of opinion on this subject in Scotland, and the House ought to proceed with caution under these circumstances. The subject was not yet ripe for the decision of their Lordships, and it was for that reason that he wished the measure to be postponed till next Session, in order to allow further time for consideration. He concluded by moving as an Amendment, that the Bill be read a second time that day six months, giving notice that he meant, some time afterwards, to move that a committee be appointed to consider the subject.

Earl *Grosvenor* observed, that it was manifest that the noble and learned Lords had well considered the subject. From the best consideration that he had been able to give the measure now before their Lordships, he thought that he ought to support it. The noble and learned Lord himself had admitted that it was desirable to extend Trial by Jury in Scotland, and this measure would have the effect of extending it; and if improvements should appear necessary, they might be afterwards adopted. It was a reason in its favour with him that it abolished the sinecure of the Lord Justice-general; and he only regretted that other legal sinecures had not shared the same fate. He had great confidence, however, in the noble Duke at the head of the Administration; and he hoped that the new reign would be signalised by the introduction into office of the greatest talent, and integrity, and independence in the empire.

Viscount *Melville* regretted, that the noble and learned Lord (Wynford) was of opinion that this measure should be postponed till next Session; but when he heard the noble Lord state his reasons, his regret was much diminished; for the noble and learned Lord had stated, that he had still to inform himself on matters which had been the subject of discussion for these fifteen years. The noble and learned Lord had adverted to authorities; but the Judge at the head of the Jury Court in Scotland was decidedly in favour of this measure, and there could not be a greater authority, but their Lordships had been told that the Faculty of Advocates were adverse from the measure; he saw no reason for coming to any such conclusion. He had then before him the resolutions of that body; and, though he found there that some of the provisions of the Bill were disapproved of, he observed that the principle of the measure was generally well received. As to what the noble Lord had said about the Consistorial Court, and other matters connected with Scotch practice, the noble and learned Lord had been much misinformed. This measure had been before Parliament, in the shape of a Report, ever since 1827, and could not, therefore, be said to be a novelty. He entirely concurred in the measure, because he agreed with the observation which had fallen from the highest judicial quarter in this kingdom, that the greatest public injury would ensue if the passing of this Bill were longer delayed.

The Earl of *Lauderdale* said, the Faculty of Advocates was opposed to the Bill as it now stood. He knew that, for he had a letter in his pocket from the Dean of the Faculty, which he had received that very day. He meant to oppose the Bill, which he considered to be the crudest and most inconsistent measure that was ever introduced to reform the system of jurisprudence in any country. If Government had proceeded wisely, they would have wholly repealed certain Acts which were mentioned in the preamble to this Bill, and in the Bill itself they would have preserved any provisions, connected with the bills so repealed, which they might have deemed it necessary to preserve. But they had proceeded quite differently; they had re-enacted, contrary to the usual practice of the Legislature, the whole of those obnoxious measures, except in so far as certain portions of them were rendered null and void by the operation of this Bill: so that, if he were called on to give an opinion, under this Bill, he must first read the Acts to which the Bill referred, and then see, by consulting the measure itself, how far its provisions interfered, or were in accordance with, the Statutes of a former period. The Legislature was, he contended, by sanctioning this Bill, confirming to the Court of Session a power which ought to belong to the Legislature alone. That Court already made regulations for itself, and thus there was a law of the Court of Session, in the shape of orders and practice; and another of the two Houses of Parliament—and until these were reconciled to each other, he defied any man to carry this Bill into execution. So defective did he conceive it to be, that he should, perhaps, feel it a duty incumbent on him to introduce, in the next Session of Parliament, a bill for clearly explaining and defining the powers of the Scottish judicature.

The *Lord Chancellor*, in reply, said, that the principle of this Bill had been declared by an Act of Parliament, passed several years ago, necessary to be adopted. The Commissioners who had been sent into Scotland in 1817, to report on this subject, had reported, that the time was come to extend the Trial by Jury to civil causes. The principle being thus admitted, the details of the present measure could be better discussed in committee than at the present moment.

Bill read a second time.

PROTEST AGAINST THE COURT OF SESSION (SCOTLAND) BILL.] It was entered as follows in the Journals of the House of Lords:

Dissentient,

1. Because it appears to us as unprecedented as it is indecorous, that a Bill of such high importance, which has for its object regulating and new modelling the proceedings of the Court of Session, of the Court of Justiciary, of the Jury Court, of the Court of Exchequer, of the Consistorial and Maritime Courts, and even of the Sheriffs' Courts in Scotland, should be pressed on the consideration of this House at a period so near the conclusion of the Session, as to render it impossible for the Members of this House to bestow upon it that attention which it is their bounden duty to give to a measure, on the details of which depends the due administration of justice, in all its branches, throughout Scotland.

2. Because we feel it our duty to express our regret and astonishment that a Government, which may justly pride itself upon the benefits it has bestowed on this country, by simplifying and consolidating many branches of our laws, should be induced to recommend to this House a Bill, which purports to alter and amend all the Acts hitherto passed for establishing Trial by Jury in civil causes in Scotland, but which contains no one definite or direct alteration or amendment of those laws, and alone attempts to effect its avowed object by declaring "That all the provisions of these Acts shall remain in force, in so far as not inconsistent with this Act;" thus leaving the law of Scotland, on these important subjects, in the unprecedented and uncertain state of being only to be inferred from what, to the minds of those whose duty it is to expound it, may appear consistent or inconsistent with the vague enactments of a Bill, the only argument in favour of which used by its advocates out of the House is, that it may be amended in a future Parliament.

3. Because the provisions of this Bill are, throughout, so loose and indefinite, and there is such a complete want of all enactments about the mode of carrying it into execution, that it appears to us to be in truth an unlimited delegation to the Court of Session, to accomplish by act of Sederunt that which the Constitution of our country requires should be enacted by law.

4. Because, anxious as we are to see the trial by Jury introduced into the Supreme Civil Courts of Scotland, we must think that the mode of conducting Jury-trials, as proposed by this Bill, has a tendency to defeat that great object, by the evidence its enactments afford, that, in the estimation of the Legislature, the Judges to whom the charge of conducting it is to be intrusted, are at present incapable of executing the duty. For to us it appears, that though the task of preparing Jury causes for trial is intrusted to the Lords Ordinary, the provision that they may have recourse for advice and assistance to the Lord President of the division to which they belong, or to the Lord Chief Commissioner, strongly insinuates doubts of their capacity to execute the duty. We must also be of opinion, that prohibiting the Presidents of either division, to whom the instruction of the Lords Ordinary is intrusted, from conducting a trial by Jury for the next three years, unless

in the presence of the Lord Chief Commissioner, or one of the Judges of the Jury Court, can only be construed to be, on the part of the Legislature, a direct declaration of their incapacity to perform the duty imposed on them, except when aided by the instructions of one of those Judges, under whom it seems to us to be enacted that they should for three years serve an apprenticeship. To us it therefore appears that this proposed mode of uniting the benefits of Jury-trial, with the ordinary jurisdiction of the Court of Session cannot fail to be attended with the fatal effect of lowering in the minds of the people of Scotland that character for talent, industry, and ability, which the Judges presiding over the two Chambers have so justly and so deservedly acquired; and that it thus tends to impair their power of rendering service to their country, not only in the performance of their new duties, but also in the execution of those more important duties which they have hitherto discharged with such credit to themselves.

5. Because, far from agreeing in the propriety of transferring the jurisdiction of the Consistorial Court of Scotland to the Court of Session, we feel it our duty to reprobate the measure of abolishing a Court, which for centuries has exercised its jurisdiction, with credit to itself and advantage to the public, at a time when, in the opinion of every well-informed lawyer, the Judges of that Court, in the numerous cases of divorces applied for by foreigners who had no permanent domicile in Scotland, have delivered opinions that proved them to be not only sound lawyers, but men who are incapable of pronouncing hasty and crude judgments. Whilst, in the same cases, the decisions of the Court of Session, as a Court of Appeal, and the instructions they have given to the Commissaries on the subject of collusion, as well as on that of finding that the plaintiff is entitled to receive redress according to the law of Scotland, if the jurisdiction of the Court has been established by a summons personally served on the defender, or by a summons left for him at a place where he has resided forty days within that country, has perverted the law of Scotland, and introduced rules in practice which must give rise to the necessity of altering it. With these opinions we must protest against the measure of annihilating the Consistorial Court, to whose merits we are ready to subscribe, and of transferring the jurisdiction to the Court of Session, from whose conduct we are on this important subject compelled to withhold our approbation. Indeed we cannot account for this measure being suggested, but on the ground of giving credit to what is unfortunately too generally believed in Scotland, that this important Bill, which enacts alterations in the law of that country so unparalleled in extent, owes its origin to a scheme for increasing the salaries of the Judges of the Court of Session, and that the transfer to that Court of the jurisdiction of the Consistorial Court has been resorted to as furnishing a pretence, from the increase of business, to augment the Judges' salaries, whilst the ultimate saving it will occasion might be held out as in part a means of defraying the expense.

(Signed) LAUDERDALE.

SALE OF BEER BILL.] The Duke of Wellington moved the third reading of this Bill.

The Duke of *Richmond*, in pursuance of the notice he had given, rose to move an Amendment, the object of which was, to bring about the change intended by this Bill, gradually and cautiously. He called upon their Lordships not to ruin 50,000 persons, with their families, by such a sudden alteration. In every case in which Parliament had interfered with vested interests, due notice had been given of the proposed change. Why should the present case be an exception to the general rule? When the Parliament declared the system of bounties bad, it did not abolish those bounties suddenly, but gave time for a gradual change, amounting, in one case, to no less than ten years. He should move the clause he had brought forward the other evening, and if it should be rejected, he should move that the operation of the Bill should be postponed for one year at least. While he was in possession of the House, he would ask the noble Duke opposite whether he should object to introducing a clause inflicting hard labour on those who might be imprisoned under the provisions of the Bill? He also wished to know whether the noble Duke would agree to a clause declaring that no peace-officer or Constable should keep one of those beer-houses? He had no wish to destroy this Bill; but he thought it needed those amendments. He should also propose, that no person who had received parochial assistance should, within twelve months afterwards, be suffered to take out a license under this Bill, and that the securities for persons so licensed should be rated householders.

The Duke of *Wellington* had no objection to some of these amendments, such, for instance, as that which related to the security to be given by rated householders. He should be happy to propose such a clause himself. As to excluding Constables from keeping these houses, he begged to remind the noble Duke, that the office of Constable was a burthen, and that a benefit ought not to be refused to a man because a public burthen had already been imposed on him. As to the clause for adding hard labour to imprisonment, he must inform the noble Duke, that the man was only to be imprisoned for non-payment of penalties; that these penalties were a debt, and that it was not usual in legislation to inflict hard labour on a debtor. With respect to the injury that this Bill would occasion to the publicans, he referred the noble Duke to the Report taken before the committee of the other House, in which it was stated, that these publicans enjoyed an immense revenue, arising from the profits occasioned by this licensing system. In some cases they obtained 700*l*. or 800*l*, a year on an outlay of 2,000*l*. or 3,000*l*. Such profits, on such a small advance of capital, were enormous, and he thought no great injury would be inflicted on these publicans in depriving them of profits so obtained, and in giving the country the opportunity of deriving full enjoyment from the other measure relating to beer. He begged to observe too, that some parts of the publicans' trade—such, for instance, as the spirit trade—would not be touched by this Bill.

Bill read a third time.

The Duke of Richmond proposed his Amendments by way of rider.

The Earl of *Malmesbury* did not think that these Amendments would materially affect the operation of this Bill. By giving an additional year to the publicans, their Lordships would enable a large body of men gradually to withdraw the capital they had invested in these public-houses. As they could not retrace their steps, they ought to proceed with caution.—The Amendments were negatived.

Several verbal Amendments were agreed to; as well as one proposed by the Duke of Wellington, compelling persons applying for a license to have for securities two rated house-keepers of his parish.

The Duke of Richmond moved to add a clause restraining a constable or peace-officer from holding one of these houses.

The Marquis of *Salisbury* said, the clause was unnecessary. A publican could not be a constable.

The Duke of *Richmond* thought the keeper of one of these beer-shops would not be considered as a publican.

The Duke of *Wellington* was of a different opinion, for soldiers were to be billetted on him, in the same way as on publicans.

The Duke of *Richmond* consented to withdraw this clause, as also the clause which he had drawn up for punishing with hard labour all offenders against this Act, whom the Magistrates might sentence to be imprisoned in the common gaols. He said, that he withdrew these clauses the more willingly, as it was quite impossible to amend this Act in such a way as to render it palatable to the country. Before the end of the next Session of Parliament they would have their Table covered with petitions from all parts of the country, complaining of its prejudicial effects. So strongly was he convinced that such would be the case, that he would then give notice of his intention to move next Session, for a committee to inquire into the subject on which they were legislating.

The Bill passed.

HOUSE OF LORDS,

Tuesday, July 13.

MINUTES.] The Madras Registrar Bill was brought up from the House of Commons.

The Illusory Appointments, the Real Property Liability, the Arms (Ireland), the Customs Duties (Crown Goods), the Spirit Duties, the Sugar Duties, and the West-India Spirits Duties, were read a third time.

Petitions presented. By Lord SKELMERSDALE, from Congleton, Manchester, Liverpool, Middlewich, Stockport, Macclesfield, the Grand Juries of Chester and Cheshire, &c., against certain Clauses in the Welsh Judicature Bill. By Viscount GODERICH, from the Barristers of Galway:—By the Duke of BUCKINGHAM, from six Protestant Magistrates of Galway:—By Lord HOLLAND, from the Roman Catholic Inhabitants of Galway against the Alteration in the Galway Town Regulation Bill.

FORGERY.] Lord *Holland* presented a Petition from the Clergy, Churchwardens, and other Inhabitants of Olney, in Buckinghamshire, praying for the Abolition of Death in all cases of Forgery. In the wishes of the petitioners he most cordially and conscientiously concurred; although, in the present state of the Session, it would be only irksome to their Lordships, and useless as respected himself, were he to attempt to restore to the Bill that character of complete abolition. When the measure came before their Lordships, therefore, in its next stage, he should move that it be recommitted, solely for the purpose of enabling him to record on their Lordships' Journals those reasons for the entire abolition of the punishment of death for forgery, which he hoped and trusted would soon produce an amendment of the law to that effect.

ADMINISTRATION OF JUSTICE.] Lord *Wynford*, with a view to carrying into effect, at some future period, the recommendation contained in the Speech from the Throne, at the opening of the present Session, that Parliament should apply itself to the amendment of the Administration of Justice, moved for a variety of Accounts, to show the state of business during the last ten years in the Privy Council, and the Courts of Equity and Common Law in the United Kingdom.

The *Lord Chancellor* said, that all the information which his noble and learned friend required respecting the Court of Chancery was already on the Table of the other House, and could be obtained by an application from their Lordships, without the sacrifice of time, labour, and expense, which would attend a renewed preparation of it.

The Earl of *Eldon* observed, that the furnishing of returns, such as these, was one of the main causes of the delays so loudly complained of in the Court of Chancery.

The *Lord Chancellor* begged to add to what he had already stated, that in the Report of the Commissioners on the Common Law, there was an Appendix, containing all the information on that point desired by his noble and learned friend.

Lord *Wynford* expressed his surprise at his noble and learned friend's statement, as he must know that the information contained in that shape could not be acted upon.

The Earl of *Shaftesbury* said, that any information on the Table of either House of Parliament could be acted upon.

Lord *Wynford* remarked, that if the Report in question could be acted on, still it did not contain all the information that he wanted.

The Motion agreed to.

DEATH FOR FORGERY BILL.] On the Motion for the Third Reading of this Bill, Lord *Holland*, in compliance with the notice which he had given in the early part of the evening, moved the re-commitment of the Bill.

Motion negatived without a division.

Lord *Wynford* proposed to make the forgery of the attestation of a power of attorney for the transfer of Stock, a capital offence.

The *Lord Chancellor* observed, that that would be contrary to the spirit of the Bill—the object of which was to mitigate, not to increase the severity of the law.

Lord *Wynford* said, such was not his intention; but, as he found there was an objection to his Amendment, he would withdraw it.

The Marquis of *Lansdown* observed, that as the Bill would, in all probability, again become the subject of consideration in the next Session, it would be important should the punishment of death for forgery be eventually abolished, to enter into an inquiry as to the nature of secondary punishments, as to the expediency of selecting some other place than New Holland for the transportation of offenders, and as to the policy of giving the Judges the power of sentencing either to hard labour, solitary confinement, or transportation to any place they thought proper.

The Earl of *Harrowby* trusted, that the subject of secondary punishments for forgery would, at some future day, be taken into serious consideration. There was one particular punishment which occurred to him as peculiarly applicable to this offence. It was a punishment which the law had reserved for only a few cases; he meant the pillory. The ground on which that punishment had been rejected for several offences was, that from the nature of those offences, the punishment was not likely to be limited to that which it professed to be; namely, an exposure of the individual; but, on the contrary, was likely to turn out either a triumph or a martyrdom. Such had been the case when the offence punished was a political offence. The crime of forgery, however, was not calculated to excite such powerful feelings in the public mind; and to punish it with the pillory would be simply to punish it by personal exposure. He had merely thrown his mite into the treasury of general opinions on this subject, and left it for their Lordships consideration.

The Bill was read a third time and passed.

The following Protest against the rejection of his Motion to re-commit the Bill, was entered on the Journals by Lord Holland.

Dissentient;—

1. Because the Bill, as amended in the Committee, annexes or continues the punishment of death in many cases of forgery, which crime, however injurious to society, is an offence of human institution. It can only be described as a spoliation of property, unattended with violence; and the common feelings of mankind, the maxims of religion and philosophy, the authority of the most eminent men, and the practice of the most civilized nations as well as of our ancient law, are generally averse to punishing by death any crimes in the perpetration of which no violence is used or intended.

2. Because no proof has been adduced, nor is there any ground for suspecting, that the crime of forgery "has grown to be enormous, frequent, and dangerous," which are the circumstances required by Sir Matthew Hale, to justify a law-giver in annexing "a punishment, and even death, beyond the demerit of the offence itself, if simply considered."

3. Because, although forgeries may have become less frequent of late years, in consequence of the resumption of cash payments, or from other causes, such recent diminution of that species of guilt cannot be reasonably attributed to the terror of a punishment which has subsisted and been in force for nearly a century, which at present, in seven cases out of eight, is not inflicted; and which, when sternly and rigorously enforced, failed to produce any such diminution. We were, therefore, unwilling too hastily to infer the efficacy of severity, from any recent or accidental decrease of the offence, and we were confirmed in withholding our assent to such precipitate reasoning, by reflecting, that forgeries have often been, and still continue to be, more frequent in this country than they were before the punishment of death was annexed to that crime.

4. Because, sundry laws inflicting capital punishments on a variety of crimes, have, during the last seventy years, been abrogated in civilized States, and in no one instance does it appear that the removal of the terror of death has been followed by any increased frequency of the crime. The laws have been generally invigorated by such wholesome relaxation, and experience has confirmed the great axioms which speculative philosophers and practical moralists had long since inculcated; namely, that capital punishments seldom hinder the commission of a crime, but often prevent its detection; and that the certainty of a sentence comparatively mild, extirpates wickedness more effectually than the dread of a punishment which the common feelings of mankind deem disproportionate to the offence, and therefore scruple to concur with the community in inflicting.

5. Because, if justice enjoins the necessity of proportioning the punishment to the moral turpitude of an offence, prudence no less requires that the compassion likely to be produced by the punishment should not exceed the indignation generally excited by the perpetration of the crime, and that the penalty should be regulated by the state of public opinion at the time, and in the country where such law is enacted or allowed to continue. But in this instance, the frequency of pardons, the numerous petitions of the people, and the votes of the Commons House of Parliament, sufficiently attest that the punishment by death, of criminals convicted of Forgery, is abhorrent to the spirit of the age, contrary to the judgment of the English public, and revolting to the feelings of the community.

(Signed) VASSALL HOLLAND.
RICHMOND, 3rd and 5th reasons.
DURHAM.

SURREY COAL METERS' BILL.] On the Motion for the third reading of this Bill,

Lord *King* objected to throwing the expense of the Coal Meters on the County rates, and proposed to omit the clause making the rates of the county liable for the expenses.

Earl *Bathurst* said, it was by no means a Government measure, but having made inquiry into the case, and not finding that the county of Surrey was unfavourable to the measure, he should support it, and resist the Amendment of the noble Baron.

Their Lordships divided on the Amendment; Contents 17; Not-contents 26—Majority 9.

Bill read a third time.

WELSH JUDICATURE.] The *Lord Chancellor* having moved the Order of the Day for the second reading of the Administration of Justice Bill, proceeded to state, that he felt relieved from the necessity of occupying their Lordships' time at any length, in explaining its principles and operation. These had received such a full investigation before committees of the other House of Parliament, and from the Law Commissioners, whose reports were on their Lordships' Table, that it was not necessary for him to state more than the general grounds and features of the measure. Its object was, to improve the means of administering justice in Wales. It was perhaps not amiss to remind their Lordships, that the present Welsh judicature is in principle the same with that established, under very different circumstances in the reign of Henry 8th. It contained four circuits, each requiring two Judges, making eight Judges altogether for the business of a Principality not superior in wealth or population to Yorkshire, while there were for all England but twelve Judges for its common-law proceedings; was not this great disproportion a manifest defect in the present system? But perhaps it might be supposed that the amount of business transacted,—that is, the number of causes tried in Wales by its eight Judges,—bore a nearer proportion to the number disposed of by the twelve English Judges. What were the facts? Why, that the sum of business transacted in the four circuits in Wales amounted last year to but eight causes; the conviction of six prisoners, and to the delivery of two equity decisions,—an amount which, it was hardly necessary to add, was not equal to the average of that disposed of in the lightest single assize held under one English Judge. But this was not all. The inhabitants of Wales themselves did not place so much confidence in their own judicatures as in that in force in England, as was proved by the fact that pains were taken by all Welsh suitors, when the case was at all important, either in a legal point of view, or as involving the interests of property, to have it tried in an English county by an English Judge and Jury. The defects of the present system were indeed so numerous and mischievous, that it was not easy to make a selection. The Welsh Judges did not possess the power of compelling the attendance of a witness to give evidence, either in a common-law or an equity cause, and accordingly, the clumsy expedient, by way of remedy, was obliged to be had recourse to, of compelling, through the Court of Exchequer in England, the attendance of a witness in the commonest cause between A and B in Wales. It was not necessary for him to point out the mischievous consequences of such a defect in the administration of justice. There existed defects, too, of a very serious nature in the constitution of the Courts in Wales. Contrary to the principles which should regulate the appointment and conduct of Judges, as laid down in Blackstone, the Welsh Judges were at once Judges and Advocates; and cases were not unknown, in which the same individual had given advice to both parties as an Advocate, in a cause on which he had ultimately decided as Judge. Then with regard to the Equity jurisdiction exercised by the Welsh Judges, he begged it might be remembered, that the Welsh Judges were, without exception, common-law lawyers. He did not mean to imply by this observation, that a common-law barrister might not become, in time, a sound Equity Judge, but the Judge who only sat on two or three Equity causes in the year, while the remainder of his time was occupied as a barrister in Courts of Common-law, could not make himself as well acquainted with Equity law as would be desirable. Owing to this circumstance, and to other defects in the present system of Welsh judicature—particularly that arrangement which crowded the whole business of the Welsh circuits into three weeks—the number of appeals to that House was very great. There was one case of appeal which had been twice decided upon—first by his noble and learned friend (the Earl of Eldon) near him, and since by himself; and, for aught he knew, might come a third time before them, owing to the present system of Welsh judicature. He had dwelt long enough on the defects of that system—that spurious species of the means of administering justice in Wales—to satisfy their Lordships, he persuaded himself, of the necessity of the present Bill. The next point was, as to the changes which it would occasion in the number of Judges in England, in consequence of the annexation of the Welsh jurisdiction to that at present exercised by that learned body. It was implied in what he had already said, that the eight Judges at present in Wales would be reduced. In consequence of this reduction it was intended to add three to the number of Judges in Westminster Hall—one to the

King's Bench—one to the Common Pleas—and one to the Court of Exchequer. With respect to the King's Bench, he could not help taking advantage of that opportunity to observe, that in no period of the history of this country was the business of that Court administered with so much satisfaction to the public, the Bar, and to the suitors, as at present, under his noble and learned friend near him. It was the honourable ambition of that noble Judge not to what was technically called "clear his paper," but to come to a sound and honest decision on every cause that came before him. Hence the great quantity of business that flowed into his Court, to relieve which there was only one feasible plan, in addition to the remedy which he had been the instrument of introducing into the other House of Parliament, by which the Chief Justice was enabled to sit in *nisi prius* while the other Judges were disposing of special cases,—namely, the making the Court of Exchequer more efficient as a Common-law Court. The noble Lord concluded by moving the second reading of the Bill, which was read a second time accordingly.

Sir Jonah Barrington.] The Duke of Wellington having moved the Order of the Day for the further consideration of the case of Sir Jonah Barrington, the House resolved itself into a Committee, and Counsel were ordered to be called in.

The Attorney and Solicitor General, and Sir Jonah Barrington, immediately appeared at the bar, when Sir Jonah objected to their Lordships proceeding with the case, on the ground that he had not had timely notice that it would be brought forward that day. He was then unprepared to go into the inquiry, as he had not been permitted to see the books, of which he had prayed the inspection.

The Duke of *Wellington* hoped it would not be inconvenient to the learned gentleman to permit Counsel to proceed then with the examination of witnesses, as the case had been already postponed because they were not prepared, on a former occasion, to produce the necessary evidence.

Witnesses were accordingly examined, and the further consideration was postponed.

HOUSE OF COMMONS,

Tuesday, July 13.

Minutes.] The Madras Registrar's Bill was read a third time. A Bill was brought in to correct mistaken references to Acts of his late Majesty, enacted during the present Session, and passed at once through all its stages.

Returns ordered. On the Motion of Mr. Alderman Wood, the drawback paid on British manufactured Silk Goods, from January 1829 to January 1830, and to July 1830:—On the Motion of Sir H. Parnell, the Customs and Excise Duties paid on Sugar, Tobacco, Foreign Wine, &c. since 1789; the number of Pawnbrokers licensed in the Metropolis:—On the Motion of Mr. W. Horton, the number of Persons receiving Parish Relief, and amount given for Relief, between Easter 1829 and 1830, with other Returns, to show the effects of the Poor-laws, and condition of the Poor:—On the Motion of Mr. K. Douglas, the Manumissions recorded in the British West-India Colonies since the last return:—On the Motion of Mr. S. Rice, the number of Gallons of Spirits made from Malt in Scotland and Ireland, and on which drawback was allowed, since 1826.

Petitions presented. For the abolition of Slavery in the Colonies, by Mr. Spring Rice, from Baptists at Dunfermling, and from Tullinisken, Coal Island, and New Mill. By Mr. H. Grattan, from John Hughes, a Chelsea pensioner, complaining of a Pension being unjustly withheld from him. By Mr. Hume, from Attornies practising in the Court of King's Bench, praying for improved Accommodation.

Distress in Ireland.] Mr. *H. Grattan* having presented a Petition from a Chelsea pensioner, named John Hughes, complaining of the withdrawal of his pension, proceeded to call the attention of the members of his Majesty's Government present to the existing distress in Ireland. That distress had reached, he said, a dreadful extent in the western and south-western counties. In the county Tipperary, a mendicity institution had been established, and on the 2nd instant there were upwards of 1,000 persons dependent on it for relief. The distress in question had not arisen from a scarcity of provisions, but from a want of employment, and that employment, he contended, might be afforded by reclamating the waste lands in Ireland, of which there existed 4,500,000 acres, and which would give a profitable return of four per cent on the capital expended on their cultivation. Absenteeism was one of the great causes of the distress in Ireland. He had before him accounts of three Coroner's inquests, held upon persons who had absolutely died of starvation in Ireland. He hoped that some measure for the relief of the poor of Ireland would be brought in the next Session.

Mr. *W. Horton* argued, that an extensive system of emigration was the proper remedy for the evil with which Ireland was now afflicted. If it were true that the cultivation of the waste lands in Ireland would remedy the evils under which its population laboured, and at the same time afford the profitable return that had been stated, then the gentry of Ireland were the most disgraced race in the world, for not adopting such a measure; but such was not the case. An extensive and properly-conducted system of emigration was the real and efficient cure for the evil, and the only right mode of rescuing the population of Ireland from its present state of want and misery. He trusted that measure would be taken up by some person better able than he was to interest Parliament in all its details. It was, in his opinion, the most important subject which could come under its consideration, and neglecting it was one great cause of the continued poverty and misery of the people, both in England and Ireland. For his own part he must say, that he had not found that support in bringing the question forward on which he thought he might fairly reckon, and though he did not anticipate that it would be in his power to again call the attention of that House to the subject, he should not cease out of doors to promote emigration, as the only effectual means of relieving the general distress.

Mr. *S. Rice* corroborated the statement of his hon. friend, the member for Dublin, as to the distress which existed in Ireland. He explained, that the difficulty as to the cultivation of the waste lands arose from no legislative measure having been passed for the purpose. There was no doubt that they would give a profitable return.

Mr. *Huskisson* said, that at the commencement of the Session, in suggesting the measures of relief applicable to the state of the country, he did not mention emigration, because measures were then required calculated to afford immediate and not gradual relief. They had obtained measures of that description since in the shape of a great remission of taxation, and he thought the subject of emigration was one well worthy of consideration hereafter.

Lord *Killeen* wished to know from the right hon. Baronet, whether it was the intention of his Majesty's Government to afford any assistance, in the shape of a grant of public money, towards relieving the distressed and starving population of Ireland?

Sir *R. Peel* trusted that when he stated it was not the intention of his Majesty's Government to propose to Parliament any such measure for the relief of the distress in Ireland, it would not be supposed that though it had come to such a determination, it did not at the same time feel the deepest sympathy for the sufferings of the people of Ireland. That distress he hoped would be mitigated, if not entirely removed, by the further progress of the potatoe harvest, and of the harvest generally. The voting of public money for the relief of that distress, by forcing employment when there was not naturally a demand for it, might afford temporary relief, but it would be sure to be followed hereafter by an aggravation of the evil in every respect, and one of its immediate effects would be, to paralyze at once those efforts of private charity and benevolence, from which sources alone such relief should properly be derived. He did hope that the landed proprietors of Ireland would feel it incumbent upon them to relieve that distress at present. Measures were now under the consideration of Parliament, with a view to afford a permanent remedy for the evils under which the poor of Ireland laboured; but the existing temporary distress would be best remedied by the charitable exertions of the gentry and landed proprietors of that country. From his experience in Ireland he never saw any permanent good effected by votes of public money for forcing employment there—it was only postponing the evil day, which came at a later period with additional aggravation. He hoped that, whatever might be the inclination of his right hon. friend, some body of constituents would be found who would compel him to continue to exercise his talents and abilities for the good of his country. He thought, however, that his right hon. friend, in arguing the question of emigration, had assumed that there was now no relief administered to the distress of the country through that channel. Now he (Sir R. Peel) contended, that there was always a stream of emigration flowing towards our colonies. He hoped that that stream would flow quicker than at present, but, even now he was obliged to confess that it had set in too rapidly for some particular colonies. There had been a new colony recently established at Swan River. He had read over the report, and a very able report it was, that had been sent home within a few days by the Governor, Captain Stirling. In that report Captain Stirling stated, that the new colony was suffering great inconvenience from the number of emigrants who were flocking to it. Persons, he said, came to the Swan River without having the mental enterprise or the physical strength that was requisite to triumph over the difficulties which beset every infant settlement. He therefore added, "Instead of encouraging emigration to this quarter, discourage it, for the parties who come out are only likely to find the distress aggravated under which they are suffering at home." He could assure his right hon. friend, that Government had by no means neglected the subject of emigration. A gentleman of great ability and high character, who had considerable experience in the settlement of new countries, was now travelling, by direction of the Government, through our North American colonies. He was to draw up an account of their present condition, their present resources, and their future capabilities, and he trusted that, when that gentleman's report should be received, there would be an opportunity of carrying into effect, to some extent at least, the projects of his right hon. friend. Some previous arrangement must be made with the colonies to which the stream of emigration was to be directed, otherwise it would be productive of mischief both to the party emigrating, and to the country to which he emigrated. For his own part, he frankly confessed that he saw a better chance of relieving the distress of Ireland, by arranging a scheme of emigration from that country with some of our colonies, than by setting its surplus population to cultivate its waste lands.

Mr. *Hume* wished to know whether the Government would have any objection to let the report of Captain Stirling, from Swan River, be published.

Sir *R. Peel* said, that he had no objection to allow the greater part of that report to be published; on the contrary, he thought that the publication of it would have the tendency to disabuse the over-sanguine expectations which the country seemed inclined to entertain at present respecting that colony.

SLAVERY IN THE COLONIES.] Mr. *Brougham*:—Sir; In rising to bring before the House a subject more momentous, in the eyes both of this country and of the world, than any that has occupied our attention during the whole of a long protracted Session, I feel that I owe some apology for entering upon it at so late a day. I know, too, that I am blamed in many quarters, for not postponing it till another season. But the apology which I am about to offer is, not for bringing it forward to-day, but for having delayed it so long; and I feel that I should be indeed without excuse, that I should stand convicted of a signal breach of public duty, to the character and the honour of the House, to the feelings and principles of the people, nay, to the universal feelings of mankind at large, by whatever names they may be called, into whatever families distributed, if I had not an ample defence to urge for having so long put off the agitation of this great question. Occurrences which happened at the commencement of the Session, and the matters of pressing interest which attended its close, must plead my justification. Early in the year I had hoped that the Government would redeem the pledges which they gave me last Session and which then stayed my steps. I had expected to have the satisfaction of seconding a measure propounded by the Ministers of the Crown for improving the administration of justice in the Colonies, and especially for amending the law which excludes the testimony of slaves. That those expectations have been frustrated, that those pledges remain unredeemed, I may lament, but in fairness I am bound to say I cannot charge as matter of severe blame on the Government, because I know the obstacles of a financial nature, which have stood in the way of intentions sincerely entertained to provide a pure and efficient system of judicature for the West-India Islands. Until I saw that no such reforms could be looked for in that high quarter, I was precluded from undertaking the subject, lest my efforts might mar the work in hands far more able to execute it. This is my defence for now addressing you at the end of the parliamentary year; but to imagine that I can hold my peace a moment longer, that I can suffer the Parliament to be prorogued, and above all to be dissolved, and the country to be assembled for the choice of new Representatives, without calling on the House for a solemn pledge, which may bind its successors to do their duty by the most defenceless and wretched portion of their fellow subjects, is so manifestly out of the question, that I make no apology for the lateness of the day, and disregard even the necessary absence of many fast friends of the cause, and the general slackness of attendance, incident to the season, as attested by the state of these benches, which might well dissuade me from going on. And now, after the question of Colonial Slavery has for so many years been familiar to the House, and I fear still more familiar to the country, I would fain hope that I may dispense with the irksome task of dragging you through its details, from their multiplicity so overwhelming, from their miserable nature so afflicting. But I am aware that in the threshold of the scene, and to scare me from entering upon it, there stands the phantom of colonial independence, resisting parliamentary interference, fatiguing the ear with the thrice-told tale of their ignorance who see from afar off, and pointing to the fatal issue of the American war. There needs but one steady glance to brush all such spectres away. That the colonial legislatures have rights—that their privileges are to be respected—that their province is not to be lightly invaded—that the Parliament of the mother country is not, without necessity, to trench on their independence—no man more than myself is willing to allow. But when those local assemblies, utterly neglect their first duties—when we see them, from the circumstances of their situation, prevented from acting—struggling in these trammels for an independent existence—exhausted in the effort to stand alone, and to move one step wholly unable—when at any rate we wait for years, and perceive that they advance not by a hair's breadth, either because they cannot, or because they dare not, or because they will not—then to contend that we should not interfere—that we should fail in our duty because they do not do theirs—nay, that we have no right to act, because they have no power or no inclination to obey us, would be not an argument, but an abomination, a gross insult to Parliament, a mockery of our privileges—for I trust that we too have some left—a shameful abandonment of our duty, and a portentous novelty in the history of Parliament, the plantations, and the country. Talk not of the American contest, and the triumph of the colonists! Who that has read the sad history of that event (and I believe among the patriarchs of this cause whom I now address there are some who can remember that disgrace of our councils and our arms) will say, that either the Americans triumphed or we quailed on one inch of the ground upon which the present controversy stands? Ignorance the most gross, or inattention the most heedless, can alone explain, but cannot at all justify, the use of such a topic. Be it remembered, and to set at rest the point of right, I shall say no more—let it not once be forgotten that the supremacy of the mother country never for an instant was surrendered at any period of that calamitous struggle. Nay, in the whole course of it, a question of her supremacy never once was raised; the whole dispute was rigorously confined to the power of taxing. All that we gave up, as we said voluntarily, as the Americans more truly said, by compulsion, was the power to tax; and by the very act which surrendered this power, we solemnly, deliberately, and unequivocally reasserted the right of the Parliament to give laws to the plantations in all other respects whatever. Thus speaks the record of history and the record of our Statute-book. But were both history and the laws silent, there is a fact so plain and striking, that it would of itself be quite sufficient to establish the doctrine of parliamentary supremacy. I believe it may safely be affirmed, that on neither side of the water was there a man more distinguished for steady devotion to the cause of colonial independence, or who made his name more renowned by firm resistance to the claims of the mother country, than Mr. Burke. He was, in truth, throughout that memorable struggle, the great leader in Parliament against the infatuated ministry, whose counsels ended in severing the empire; and far from abating in his opposition as the contest advanced, he sacrificed to those principles the favour of his constituents, and was obliged to withdraw from the representation of Bristol, which, till then he had held. His speech on that occasion re-affirms the doctrines of American independence. But neither then, nor at any other time, did he ever think of denying the general legislative supremacy of Parliament; he only questioned the right of taxing the unrepresented colonies. But another fact must at once carry conviction to every mind. During the heat of the controversy, he employed himself in framing a code for the government of our sugar colonies. It was a bill to be passed into a law by the Legislature of the mother country; and it has fortunately been preserved among his invaluable papers. There is no minute detail into which its provisions do not enter. The rights of the slave, the duties of the master, the obligation to feed and clothe, the restriction of the power of coercion and punishment, all that concerns marriage and education, and religious instruction, all that relates to the hours of labour and rest, every thing is minutely provided for, with an abundance of regulation which might well be deemed excessive, were not the subject that unnatural state of things which subjects man to the dominion of his fellow-creatures, and which can only be rendered tolerable by the most profuse enactment of checks and controls. This measure of most ample interference was devised by the most illustrious champion of colonial rights, the most jealous watchman of English encroachments. With his own hand he sketched the bold outline; with his own hand he filled up its details; with his own hand, long after the American contest had terminated, after the controversy on negro freedom had begun, and when his own principles, touching the slave-trade and slavery, had bent before certain West-India prejudices, communicated by the party of the planters in Paris with whom he made common cause on revolutionary politics,—even then, instead of rejecting all idea of interference with the rights of the colonial assemblies, he delivered over his plan of a slave code to Mr. Dundas, the Secretary for the Colonies, for the patronage and adoption of Mr. Pitt and himself. I offer this fact as a striking proof that it is worse than a jest, it is an unpardonable delusion, to fancy that there ever has existed a doubt of the right of Parliament to give the colonies laws. But I am told, that, granting the right to be ours, we ought to shrink from the exercise of it when it would lead to an encroachment upon the sacred rights of property. I desire the House to mark the short and plain issue to which I am willing to bring this matter. I believe there is no man, either in or out of the profession to which I have the honour of belonging, and which, above all others, inculcates upon its members an habitual veneration for civil rights, less disposed than I am lightly to value those rights, or rashly to inculcate a disregard of them. But that renowned profession has taught me another lesson also; it has imprinted on my mind the doctrine which all men, the learned and the unlearned, feel to be congenial with the human mind, and to gather strength with its growth—that by a law above and prior to all the laws of human lawgivers, for it is the law of God—there are some things which cannot be holden in property, and above every thing else, that man can have no property in his fellow-creature. But I willingly avoid those heights of moral argument, where, if we go in search of first principles, we see eternal fogs reign, and "find no end, in wandering mazes lost." I had rather seek the humbler regions, and approach the level plain where all men see clear, where their judgments agree, and common feelings knit their hearts together; and standing on that general level, I ask, what is the right which one man claims over the person of another, as if he were a chattel and one of the beasts which perish? Is this that kind of property which claims universal respect, and is clothed in the hearts of all with a sanctity which makes it inviolable? I resist the claim; I deny the title: as a lawyer I demur to the declaration of the right; as a man I set up a law superior in point of antiquity, higher in point of authority, than any which men have framed—the law of nature; and, if you appeal from that, I set up the law of the Christian dispensation, which holds all men equal, and commands that you treat every man as a brother! Talk to me not of such monstrous pretensions being decreed by Acts of Parliament, and recognized by treaties! Go back a quarter of a century to a kindred contest, when a long and painful struggle ended in an immortal triumph. The self-same arguments were urged in defence of the Slave-trade. Its vindication was rested upon the rights of property, as established by laws and by treaties; the right to trade in men was held to be as clear then, as the right to hold men in property is held to be clear now. For twenty-five years, I am ashamed to repeat, for twenty-five years, to the lasting disgrace of the Parliament, the African slave traffic was thus defended; and that which it was then maintained every one had a right to do, is now denounced by our laws as piracy, and whoso doeth it shall be hanged as a felon. But I am next told, that, be the right as it may, the facts are against me; that the theory may be with those who object to slavery, but the practice is in favour of the system. The negroes are well off, it seems; they are inured to the state in which they have been born and grown up; they are happy and contented, and we shall only hurt them by changing their condition, which the peasantry of England are desired to regard with envy. I will not stoop to answer such outrageous assertions by facts or by reasons. I will not insult your understanding, by proving, that no slave can know happiness or comfort; that where a man is at the nod of another, he can know nothing of real peace or repose. But I will at once appeal to two tests; to these I shall confine myself, satisfied that if they fail to decide the question, I may resort in vain to any arguments which philosophers can admit, or political economists entertain, or men of ordinary common sense handle. The two tests or criteria of happiness among any people, which I will now resort to, are the progress of population, and the amount of crime. These, but the first especially, are, of all others, the most safely to be relied on. Every one who has studied the philosophy of human nature, and every one who has cultivated statesman-like wisdom, which indeed is only that philosophy reduced to practice, must admit, that the principle implanted in our nature, which ensures the continuance of the species, is so powerful that nothing can check its operation but some calamitous state of suffering, which reverses the natural order of things. Wherever, then, we see the numbers of men stationary, much more when we perceive them decreasing, we may rest assured that there is some fatal malady, some fundamental vice in the condition of the community, which makes head against the most irresistible of all the impulses of our nature. Now look to the history of the black population, both free and slave, in the Antilles. In the British islands, including Barbadoes, on a population of 670,000 slaves, there was a decrease of 31,500 in the six years which elapsed between 1818 and 1824; in Jamaica alone, upon the number of 330,000, a decrease of between 8,000 and 9,000. But not so with the free men: although placed in circumstances exceedingly unfavourable to increase of numbers, yet such is the natural fruitfulness of the negro race that they rapidly multiplied. The Maroons doubled between 1749 and 1782; and when great part of them were removed after the rebellion of 1796, those who remained increased in six years, from 1810 to 1816, no less than eighteen per cent; and in five years, from 1816 to 1821, fourteen per cent. In North America, where they are better fed, the negroes have increased in thirty years no less than 130 per cent. Look next to Trinidad: in four years, from 1825 to 1829, the slaves have fallen off from 23,117 to 22,436, notwithstanding a considerable importation under an order in council, being a decrease of at least a thirty-fourth, but probably of a twentieth. But what has happened to the same race, and circumstanced alike as to climate, soil, food, in short every thing save liberty? Nature has with them upheld her rights; her first great law has been obeyed; the passions and the vigour of man have had their course unrestrained; and the increase of his numbers has attested his freedom. They have risen in the same four years from 13,995 to 16,412, or at a rate which would double their numbers in twenty years; the greatest rate at which population is, in any circumstances, known to increase. There cannot be a more appalling picture presented to the reflecting mind than that of a people decreasing in numbers. To him who can look beyond the abstract numbers, whose eye is not confined to the mere tables and returns of population, but ranges over the miseries of which such a diminution is the infallible symptom; it offers a view of all the forms of wretchedness, suffering in every shape, privations in unlimitted measure—whatever is most contrary to the nature of human beings, most alien to their habits, most averse to their happiness and comfort—all beginning in slavery, the state most unnatural to man; consummated through various channels in his degradation, and leading to one common end, the grave. Show me but the simple fact, that the people in any country are regularly decreasing, so as in half a century to be extinct; and I want no other evidence that their lot is that of the bitterest wretchedness: nor will any other facts convince me that their general condition can be favourable or mild. The second general test to which I would resort for the purpose of trying the state of any community, without the risk of those deceptions to which particular facts are liable, is the number of crimes committed. In Trinidad, I find that the slaves belonging to plantations, in number 16,580, appear, by the records printed, to have been punished in two years for 11,131 offences; that is to say, deducting the number of infants incapable of committing crimes, every slave had committed some offence in the course of those two years. It is true that the bulk of those offences, 7,644, were connected with their condition of bondage—refusing to work, absconding from the estate, insolence to the owner or overseer; all incidental to their sad condition, but all visited with punishment betokening its accompanying debasement. Nevertheless, other crimes were not wanting: 713 were punished for theft, or above 350 in a year, on a number of about 12,000, deducting persons incapacitated by infancy, age, or sickness, from being the subjects of punishment. Let any one consider what this proportion would give in England: it would amount to 350,000 persons punished in one year for larceny. In Berbice, on a population of 21,000 plantation slaves, there were 9,000 punishments; no record being kept of those in plantations of six slaves or under: and in Demerara, of 61,000, there were 20,567 punished, of whom 8,461 were women. I cannot here withhold from the House the testimony of the Protector of Slaves, to the happiness of their condition. "I cannot," says that judicious officer, "refrain from remarking on the contented appearance of the negroes; and, from the opportunities of judging which I have, I think that generally they have every reason to be so." I would not have this Protector placed in the condition of the very happiest of this contented tribe, whose numbers are hourly lessening, and whose lives are spent in committing crime and in receiving punishments. No, not for a day would I punish his error in judgment, by condemning him to taste the comforts which he describes, as they are enjoyed by the very luckiest of those placed under his protection. But such testimony is not peculiar to this officer. Long before his protectorate commenced, before he even came into this world of slavery and bliss, of bondage and contentment, the like opinion had been pronounced in favour of West-Indian felicity. I hold in my hand the evidence of Lord Rodney, who swore before the Privy Council that he never saw an instance of cruel treatment;—that in all the islands, "and," said his Lordship, "I know them all," the negroes were better off in clothing, lodging, and food, than the poor at home, and were never in any case at all overworked. Admiral Barrington, rising in ardour of expression as he advanced in knowledge, declares that he has often wished himself in the condition of the slaves. Neither would I take the gallant Admiral at his rash word, sanctioned though it be by an oath. I would not punish his temerity so severely as to consign him to a station, compared with which he would in four-and-twenty hours have become reconciled to the hardest fare on the most crazy bark that ever rocked on the most perilous wave; or even to the lot which our English seamen are the least inured to—the most disastrous combat that ever lowered his flag in discomfiture and disgrace. But these officers confined not their testimony to the condition of slavery; they cast its panoply around the Slave-trade itself. They were just as liberal in behalf of the Guineaman, as of those whom his toils were destined to enrich. They gave just as Arcadian a picture of the slaver's deck and hold, as of the enviable fields whither she was fraught with a cargo of happy creatures, designed by their felicitous destiny to become what are called the cultivators of those romantic regions. "The slaves on board are comfortably lodged," says one gallant officer, "in rooms fitted up for them." "They are amused with instruments of music: when tired of music, they then go to games of chance." Let the inhabitants or the frequenters of our club-houses hear this and envy—those "famous wits," to whom St. James's purlieus are "native or hospitable:" let them cast a longing look on the superior felicity of their sable brethren on the middle passage. They toil not, neither do they spin, yet have they found for them all earthly indulgences; food and raiment for nothing; music to charm the sense; and when, sated with such enjoyment, the mind seeks a change, games of chance are kindly provided by boon traffic to stimulate the lazy appetite. "The slaves," adds the Admiral, "are indulged in all their little humours." Whether one of these caprices might be to have themselves tied up from time to time, and lacerated with a scourge, he has omitted to mention. "He had frequently," he says, "seen them, and as happy as any of the crew, it being the interest of the officers and men to make them so." But it is Admiral Evans who puts the finishing stroke to this fairy picture. "The arrival of a Guineaman," he says, "is known in the West Indies by the dancing and singing of the negroes on board." It is thus that these cargoes of merry, happy creatures, torn from their families, their native fields, and their cottages, celebrate their reaching the land of promise, and that their coming is distinguished from the dismal landing of free English seamen, out of West-India traders, or other receptacles of cruelty and wretchedness. But if all the deductions of philosophy, and all the general indications of fact, loudly prove the unalterable wretchedness of colonial slavery, where, may it be asked, are the particular instances of its existence? Alas! there is no want of these: but I will only cull out a few, dealing purposely with the mass rather by sample than by breaking its foul bulk. I shall illustrate, by a few examples, the effects of slavery in communities to the exertions of which we are bid to look for the mitigation and final extinction of that horrid condition. A certain Reverend Thomas Wilson Bridges was charged with an offence of the deepest die. A slave girl had been ordered to dress a turkey for dinner, and the order having been disobeyed, he struck her a violent blow, which caused her nose and mouth to flow with blood, applying to her at the same time an oath, and a peculiarly coarse epithet, highly unbecoming in a clergyman, and indeed in any man, as it is the name most offensive to all womankind. He then commanded two men to cut bamboo rods and point them for her punishment. She was stripped of every article of dress, and flogged till the back part of her, from the shoulders to the calves of the legs, was one mass of lacerated flesh. She made her escape and went to a Magistrate. The matter was brought before what is called a Council of Protection, where by a majority of fourteen to four it was resolved that no further proceedings should take place. The Secretary of State for the Colonies, however, thought otherwise, and in a despatch, with no part of which have I any fault to find, directed the evidence to be laid before the Attorney General. I understand that the reverend gentleman has not been put on his trial. I hope I may have been misinformed: I shall rejoice to find it is so. I shall also be glad to find that there is no ground for the charge: although the man's servants, when examined, all admitted the severity of the flogging; and himself allowed he had seen it, though he alleged he was not near, but could not deny he had heard the screams of the victim. This reverend Mr. Bridges I happen to know by his other works, by those labours of slander which have diversified the life of this minister of peace and truth. For publishing one of these, a respectable bookseller has been convicted by a jury of his country; others have been passed over with contempt by their illustrious object—that venerable person, the great patriarch of our cause, whose days are to be numbered by acts of benevolence and of piety; whose whole life—and long may it be extended for his own glory and the good of his fellow-creatures!—has been devoted to the highest interests of religion and charity; who might have hoped to pass on his holy path undisturbed by any one calling himself a Christian pastor, even in a West-Indian community. This man, however, has so far succeeded, whether by the treatment of his slaves, or the defamation of Mr. Wilberforce, in recommending himself to his fellow-citizens in Jamaica, that a great majority of the Protecting Council forbade his conduct being inquired into. So vain is it to expect from the owners of slaves any active execution of the laws against slavery! And will you then trust those slave-owners with the making of such laws? Recollect the memorable warning of Mr. Canning, given thirty years ago, and proved true by every day's experience since. "Have a care how you leave to the owners of slaves the task of making laws against slavery. While human nature remains the same, they never can be trusted with it." It is now six years since I called the attention of Parliament to one of the most grievous outrages that ever was committed since the Charaibean Archipelago was peopled with negro slaves—the persecution unto death of a Christian minister, for no other offence than preaching the Gospel of his Master. I was then told, that no such wrong would ever be done again. It was a single case, which never could recur: at all events, the discussion in this House, and the universal reprobation called forth, even from those who had not sufficient independence to give their voices for doing justice upon the guilty, would, I was told, effectually secure the freedom of religious worship in future. I was silenced by the majority of votes, but not convinced by such reasons as these. And I now hold in my hand the proof that I was right. It is a statement promulgated by a numerous and respectable body of sincere Christians, with whom I differ both in religious and political opinions, but in whose conduct, if there be any thing which I peculiarly blame, it is their disinclination to deviate from a bad habit of passive obedience—of taking all that is done by men in authority to be right. They seem, however, now to be convinced that they have carried this habit too far, and that the time is come when they can no longer do their duty and hold their peace. The narrative which they have given, confirmed by the conduct of the government itself, is such as would have filled me with indignation had I read it six years ago; but after the warning voice so loudly raised in the debates upon the Missionary Smith's murder, I gaze upon it astonished and incredulous. The simple and affecting story is told by Mr. Orton, a blameless and pious minister of the Gospel in Jamaica. He first alludes to the "daring attack made on the mission premises, at St. Ann's Bay, on Christmas-day, 1826" (the festival chosen by these friends of the Established Church for celebrating their brotherly love towards another sect). "The attack," says he, "was made by a party of white persons, of the light company of militia, who were stationed at St. Ann's Bay as the Christmas guards. The plan appeared to have been premeditated, and there remains but little doubt that the design was murderous. A great number of balls were fired into the chapel and house, fourteen of which I assisted to extract from various parts of the building; and upon noticing particularly the direction, and measuring the distance from which some of the shots must have been fired, it appeared that Mr. and Mrs. Ratcliffe and their child most narrowly escaped the fatal consequences which were no doubt designed." All attempts to bring these criminals to justice failed, it seems, for want of evidence—a somewhat extraordinary incident in a community calling itself civilized, that so many persons as must have been concerned in it should all have escaped. In the course of the next summer, Mr. Grimsdall, another clergyman of the same persuasion, was arrested twice; the second time for having preached at a small place called Ocho Rios, in an unlicensed house, although a license had been applied for and refused, contrary to the judgment of the Custos and another Magistrate. He was flung into a noisome dungeon, "such," says the narrative, "as no person in Great Britain can have any conception of. His constitution, naturally strong, could not sustain the attack—he sunk under the oppression of these persecutors, and the deleterious effects of confinement in a noxious prison; and this devoted servant of God, after a painful sickness of sixteen days, was delivered by death from the further sufferings projected by his unfeeling persecutors. He died the 15th day of December, 1827." Mr. Whitehouse, too, was a preacher of the Gospel, and consequently an object of persecution. In the summer of 1828 he was seized and carried before a Magistrate, accused of having preached without a license; that is, of having a license in one parish and preaching in another. He besought the Magistrates as a favour, to be bound in irons in the market-place, instead of being confined in the cell where his predecessor had been deprived of life. They treated his remonstrances with indifference, said they were resolved to do their duty, professed not to regard what the public might say of them, and added, that "whoever might come should be treated in the same manner." He was accordingly flung into the dungeon where Mr. Grimsdall had perished. "I found it," says he, "occupied by an insane black woman. She was removed, but the cell was exceedingly filthy, and the stench unbearable. It was now eight o'clock in the evening, and the gaoler said he 'must lock up.' I desired that the cell floor might, at least, be swept, which a few friends immediately attended to. There was no bed provided for me, not even one of straw; and it was not until I had made several requests to the gaoler, that a few benches from the chapel were allowed to be brought in, on which to make a bed. A large quantity of vinegar, and one of strong camphorated rum, was thrown upon the floor and walls, for the purpose of counteracting the very disagreeable effluvia which proceeded from the filth with which the place abounded; but this produced very little effect. The sea-breeze had subsided, and the only window from which I could obtain the least air, was just above the place in which all the filth of the premises is deposited." Mr. Orton received the intelligence of his persecuted brother's affliction, with a request that he would perform his pastoral duty to his congregation. He did so, and was forthwith committed to the same gaol. "Of the horrid state of the place," he says, "an idea can scarcely be formed from any representation which can here be made, as common decency forbids the mention of its filthy condition, and the many unseemly practices which were constantly presented to our notice. The hospital, gaol, and workhouse, are united: the two former are under one roof, occupying an area of about twenty-five feet by thirty-five. On the ground-floor were three apartments. In the condemned cell were two unfortunate creatures awaiting their doom. In an adjoining cell were many negroes, confined for petty offences; and in another apartment on the same floor, forty were crammed together, who had been taken in execution, and were waiting to be driven and sold in the market. This building, small and confined, was, especially during the night, literally stowed with persons, so that from the number of the prisoners, and the extreme filth of the negroes, it was almost unbearable." Let us but reflect on the sufferings of imprisonment even in the best gaol of our own temperate climate; and let us then add to those the torments of the tropical heats! Think of being enclosed with crowds beyond what the air will supply with the needful nourishment of the lungs, while a fiery sun wheels round the clear sky from morning to night, without the veil of a single cloud to throw a shade between; where all matter passes instantly from life to putrescence, and water itself, under the pestilent ray, becomes the source of every frightful malady! Add the unnatural condition of the inmates, not there for debts or for offences of their own, but seized for their owner's default, and awaiting, not the judgment of the law, or their liberation under an Insolvent Act, but till the market opens, when, like brute beasts, they are to be driven and sold to the highest bidder! In such a dungeon was it that Mr. Orton and his brethren were immured; and when their strength began to sink, and it seemed plain that they must speedily follow their friend to the grave, they were taken before the Chief Justice, who instantly declared the warrant illegal, and their seventeen days' confinement to have been without the shadow of pretence. Who then was in the right, six years ago, in the memorable debate upon the persecution of the Missionary Smith? You, who said enough had been done in broaching the subject, and that religion and her ministers would thenceforward be secure;—or I, who warned you, that if my Resolutions were rejected, he would not, by many a one, be the last victim? I would to God that the facts did not so plainly prove me to have foretold the truth. I may seem to have said enough; but it is painful to me that I cannot stop here,—that I must try faintly to paint excesses unheard of in Christian times—which to match we must go back to heathen ages, to the days and to the stations, wherein absolute power made men, but Pagan men, prodigies of cruelty exaggerated by caprice,—that I must drag before you persons moving in the higher walks of life, and exerting proportionable influence over the society they belong to:—an English gentleman, and an English gentlewoman accused, guilty, convicted of the most infernal barbarity; and an English community, so far from visiting the enormity with contempt, or indignant execration, that they make the savage perpetrators the endeared objects of esteem, respect and affection! I read the recital from the despatch of the late Secretary for the Colonies (Mr. Huskisson), a document never to be sufficiently praised for its statesmanlike firmness, for the manly tone of feeling and of determination united, which marks it throughout. "The slave girl was accused of theft," he says; "but some disobedience in refusing to mend the clothes was the more immediate cause of her punishment. On the 22nd of July, 1826, she was confined in the stocks, and she was not released till the 8th of August following, being a period of seventeen days. The stocks were so constructed, that she could not sit up and lie down at pleasure, and she remained in them night and day. During this period she was flogged repeatedly, one of the overseers thinks about six times, and red pepper was rubbed upon her eyes to prevent her sleeping. Tasks were given her, which in the opinion of the same overseer, she was incapable of performing; sometimes because they were beyond her powers; at other times because she could not see to do them on account of the pepper having been rubbed on her eyes; and she was flogged for failing to accomplish these tasks. A violent distemper had been prevalent on the plantation during the summer. It is in evidence, that on one of the days of her confinement she complained of fever, and that one of the floggings which she received was the day after she had made this complaint. When she was taken out of the stocks she appeared to be cramped, and was then again flogged. The very day of her release she was sent to field-labour (though heretofore a house servant,) and on the evening of the third day ensuing was brought before her owners as being ill and refusing to work, and she then again complained of having had fever. They were of opinion that she had none then, but gave directions to the driver, if she should be ill, to bring her to them for medicines in the morning. The driver took her to the negro-house, and again flogged her, though this time apparently without orders from her owners to do so. In the morning, at seven o'clock, she was taken to work in the field, where she died at noon." Mark the refinement of their wickedness! I nowise doubt, that to screen themselves from the punishment of death due to their crimes, these wretches will now say, they did indeed say on their trial, that their hapless victim died of disease. When their own lives were in jeopardy, they found that she had caught the fever, and died by the visitation of God; but when the question was, shall she be flogged again? shall she, who has for twelve days been fixed in the stocks under the fiery beams of a tropical sun, who has been torn with the scourge from the nape of the neck to the plants of her feet, who has had pepper rubbed in her eyes to ward off the sleep that might have stolen over her senses, and for a moment withdrawn her spirit from the fangs of her tormentors,—shall she be subjected by those accursed fiends to the seventh scourging? Oh! then she had no sign of fever! she had caught no disease! she was all hale, and sound, and fit for the lash! At seven she was flogged—at noon she died! and those execrable and impious murderers soon found out that she had caught the malady, and perished by the "visitation of God!" No, no! I am used to examine circumstances, to weigh evidence, and I do firmly believe that she died by the murderous hand of man! that she was killed and murdered! It was wisely said by Mr. Fox, that when some grievous crime is perpetrated in a civilized community, we are consoled by finding in all breasts a sympathy with the victim, and an approval of the punishment by which the wrong-doer expiates his offence. But in the West Indies there is no such solace to the mind—there all the feelings flow in a wrong course—perverse, preposterous, unnatural—the hatred is for the victim, the sympathy for the tormentor! I hold in my hand the proof of it in this dreadful case. The Mosses were condemned by an iniquitous sentence; for it was only to a small fine and five months' imprisonment. The public indignation followed the transaction; but it was indignation against the punishment, not the crime; and against the severity, not the lenity of the infliction. The governor, a British officer—and I will name him to rescue others from the blame—General Grant—tells us in his despatch, that "he had been applied to by the most respectable inhabitants to remit the sentence;" that "he loses no time in applying to Lord Bathurst to authorize the remission." He speaks of "the unfortunate Henry and Helen Moss;" says, "they are rather to be pitied for the untoward melancholy occurrence" (as if he were talking of some great naval victory over the Turk, instead of a savage murder), and that "he hastens to prevent the impression, which the mention of the case might make on his Lordship's mind." In a second despatch he earnestly renews the application; describes "the respectability of Mr. and Mrs. Moss, their general kindness to their slaves, the high estimation in which they are held by all who have partaken of their hospitality;" tells us that "they have always been favourably spoken of in every respect, including that of slave-management;" states his own anxiety, that "persons of their respectability should be spared from imprisonment;" and that at any rate "the mulct should be relinquished, lest they should be thought cruel and oppressive beyond others, and also in order to remove in some degree the impression of their being habitually and studiously cruel;" and he adds a fact, which speaks volumes, and may well shut all mouths that now cry aloud for leaving such things to the assemblies of the islands—"notwithstanding their being in gaol, they are visited by the most respectable persons in the place, and by all who knew them before." The Governor who thus thinks and thus writes, has been removed from that settlement; but only, I say it with grief, to be made the ruler of a far more important colony. From the Bahamas he has been promoted to Trinidad—that great island, which Mr. Canning described as about to be made the model, by the Crown, for all slave colonies. Over such a colony was he sent to preside, who, having tasted of the hospitality of the Mosses, could discern in their treatment of their slaves, nothing out of the fair, ordinary course of humane management. From contemplating the horrors of slavery in the West Indies, it is impossible that we can avoid the transition to that infernal traffic, alike the scourge of Africa and America, the disgrace of the old world and the curse of the new, from which so much wretchedness has flowed. It is most shocking to reflect that its ravages are still abroad, desolating the earth. I do not rate the importation into the Brazils too high, when I put it at 100,000 during the last twelve months. Gracious God! When we recollect that the number of seventy-three capital punishments, among which are but two or three for murder, in a population of twelve millions, excites our just horror in England, what shall we say of 100,000 capital crimes committed by a handful of desperate men, every one of which involves and implies rapine, fraud, murder, torture, in frightful abundance? And yet we must stand by and see such enormities perpetrated without making any remonstrance, or even urging any representation! By the Treaty with Portugal, it is true, no such crimes can henceforth be repeated, for this year the traffic is to cease, and the mutual right of search is given to the vessels of both nations, the only possible security for the abolition being effectual. But there is another country nearer to us in position, and in habits of intercourse more familiar, one of far more importance for the authority of its example, in which the slave-trade still flourishes in most portentous vigour, although denounced by the law, and visited with infamous punishment: the dominions of the Monarch who calls himself "Most Christian," and refuses the only measure that can put such wholesale iniquity down. There it must thrive as long as groundless national jealousies prevent the right of search from being mutually conceded. Let us hope that so foul a stain on the character of so great a nation will soon be wiped away; that the people who now take the lead of all others in the march of liberty, will cast far from their camp this unclean thing, by all lovers of freedom most abhorred. I have heard with amazement some thoughtless men say, that the French cannot enjoy liberty, because they are unused to it. I protest before God I could point to no nation more worthy of freedom, or which know better how to use it, how to gain it, how to defend it. I turn with a grateful heart to contemplate the glorious spectacle now exhibited in France of patriotism, of undaunted devotion to liberty, of firm yet temperate resistance to arbitrary power. It is animating to every beholder; it is encouraging to all freemen in every part of the world. I earnestly hope that it may not be lost on the Bourbon Monarch and his Councillors; for the sake of France and of England, for the sake of peace, for the sake of the Bourbon Princes themselves, I pray that they may be wise in time, and yield to the wish, the determination of their people; I pray, that, bending before the coming breeze, the gathering storm may not sweep them away! But of one thing I would warn that devoted race; let them not flatter themselves that by trampling upon liberty in France, they can escape either the abhorrence of man or the Divine wrath for the execrable traffic in slaves, carried on under their flag, and flourishing under their sway in America. I will tell their ghostly councillors, in the language of a book with which they ought to be familiar—"Behold, obedience is better than sacrifice, and to hearken than the fat of rams." To what should they lend an ear? To the commands of a God who loves mercy, and will punish injustice, and abhors blood, and will surely avenge it upon their heads; nothing the less because their patronage of slavery in distant climes is matched by their hatred of liberty at home. Sir, I have done. I trust that at length the time is come when Parliament will no longer bear to be told, that slave-owners are the best law-givers on slavery; no longer allow an appeal from the British public, to such communities as those in which the Smiths and the Grimsdalls are persecuted to death, for teaching the Gospel to the negroes; and the Mosses holden in affectionate respect for torture and murder: no longer suffer our voice to roll across the Atlantic in empty warnings, and fruitless orders. Tell me not of rights—talk not of the property of the planter in his slaves. I deny the right—I acknowledge not the property. The principles, the feelings of our common nature, rise in rebellion against it. Be the appeal made to the understanding or to the heart, the sentence is the same that rejects it. In vain you tell me of laws that sanction such a claim! There is a law above all the enactments of human codes—the same throughout the world, the same in all times—such as it was before the daring genius of Columbus pierced the night of ages, and opened to one world the sources of power, wealth, and knowledge; to another, all unutterable woes;—such it is at this day: it is the law written by the finger of God on the heart of man; and by that law, unchangeable and eternal, while men despise fraud, and loathe rapine, and abhor blood, they will reject with indignation the wild and guilty phantasy, that man can hold property in man! In vain you appeal to treaties, to covenants between nations; the covenants of the Almighty whether the old covenant or the new, denounce such unholy pretensions. To those laws did they of old refer who maintained the African trade. Such treaties did they cite, and not untruly; for by one shameful compact you bartered the glories of Blenheim for the traffic in blood. Yet in despite of law and of treaty that infernal traffic is now destroyed, and its votaries put to death like other pirates. How came this change to pass? Not, assuredly, by Parliament leading the way; but the country at length awoke; the indignation of the people was kindled; it descended in thunder, and smote the traffic, and scattered its guilty profits to the winds. Now, then, let the planters beware—let their assemblies beware—let the Government at home beware—let the Parliament beware! The same country is once more awake,—awake to the condition of negro slavery; the same indignation kindles in the bosom of the same people; the same cloud is gathering that annihilated the slave-trade; and, if it shall descend again, they, on whom its crash may fall, will not be destroyed before I have warned them: but I pray that their destruction may turn away from us the more terrible judgments of God! I therefore move you, "that this House do resolve, at the earliest practicable period of the next Session, to take into its serious consideration the state of the Slaves in the Colonies of Great Britain, in order to the mitigation and final abolition of their Slavery, and more especially in order to the amendment of the administration of justice within the same."

Lord Morpeth seconded the Motion.

Mr. *Protheroe:* I rose for the purpose of seconding this Motion, not aware that it had received already that support from my noble friend; but I do not rise after the brilliant, elaborate, and moving speech of my hon. and learned friend, presuming to expect the attention of the House to anything that could proceed from so humble a pleader as myself in support of the same righteous cause. But, Sir, when I state that circumstances, in the first instance personal to myself, but far from foreign to the success of this cause, may make this the last time in which I may be able to lift up my voice in this House in defence of the rights of humanity, I hope the House will indulge me for one moment while I plainly state the facts. It may be not unknown to many Members of this House, that upon the direct announcement of my hon. friend, the member for Bristol, that it was not his intention to offer himself again for the Representation of that city, I had publicly offered myself as a candidate; and permit me to add, that I did this with the strongest assurances of support, and most flattering prospects of success; but no sooner had I made known my decided sentiments upon the great question relating to Slavery, than I was threatened with a most formidable opposition from the powerful body connected with the West Indies. Those whose warmest support I had reason to expect fell from my side, and the intention was avowed of setting up against my hon. friend who had retired, some other person belonging to the West-India interest, or known to be a sure supporter of the views which they entertain. I have been implored, in consequence, by my nearest connections, if I cannot bring myself to oppose the objects of the hon. and learned Gentleman, at all events to absent myself from the House this night. But those advisers little know the spirit by which my public conduct has been actuated, if they imagine that any personal consequences to myself can possibly influence my attendance or my vote in this

House; and even if, as it is too probable, my cause may succumb under the weight of such domineering interest, it will be a subject of lasting congratulation to myself, as it is of present satisfaction, that the last vote I shall have to give in this Parliament will have been in the sacred cause of humanity. I have trespassed thus on the attention of the House, that I may assure my hon. and learned friend, and the other advocates of the same cause, that unexpectedly called into the field, however much they may desire a more able supporter, they shall have no reason to apprehend in me any want of steadiness of purpose or purity of principle.

Mr. *Keith Douglas* denied the correctness of the allegations brought against the West-India colonists, and contended that in pursuance of the resolutions of the House of Commons in 1822, the colonies had adopted measures for the amelioration of the condition of the slaves. The hon. Member referred to documents to prove, that in the majority of the colonies, regulations had been adopted for the religious instruction of the negroes, for a mitigation of the punishments to which they were liable, to prevent the separation of their families, to admit their evidence, and to recognize their right to hold property, and maintain civil actions. All the colonies were proceeding more or less rapidly in the spirit of the resolutions, and such being the case, it would be wrong in the House to step forward, and, by dictating to the colonies, produce mischievous effects. The hon. Member quoted the opinion of the Secretary for the colonies, in which Grenada was described as having honourably distinguished itself with respect to the treatment of slaves, and argued, that the colonies generally had made all the ameliorations and improvements which were consistent with the state of society in those places. He denied the hon. and learned Gentleman's statement, that not only were the colonies contumacious, but that the West-India body in this country had approved of their contumacy; and referred to a resolution of that body, on the 24th of February, 1830, in confirmation of this assertion. The ratio of manumission having very greatly increased of late years, in proportion to the population of the colonies, the West-India body was, naturally enough, opposed to compulsory manumission. In Barbadoes, within the last twenty-five years, the number of free blacks and coloured persons had increased from 10,000 to 40,000, principally by means of manumission. The hon. Member proceeded to complain of a publication by the Anti-slavery Society at the commencement of the Session, in the same spirit as his hon. and learned friend's speech at the conclusion of it, the object apparently, of both, being to rouse popular indignation against the West-India planters. He denied that the inferences contained in the Society's publication were correct, any more than those to be inferred from the speech of his hon. and learned friend. The colonies were not to be blamed; in the first place, it rested with the Government here, to mature measures fitted to the state of society in the colonies, and that being effected, the greatest possible benefit might be expected from having persons in the colonies qualified to carry the laws into execution. The hon. Member concluded by expressing his opinion, that the state of the colonial judicature ought to be inquired into in the next Session of Parliament; and by quoting instances in proof of the inconvenience that resulted from the imperfect system which prevailed at present in many of the colonies.

Mr. *William Smith* contended, that the Colonial Legislatures had not done all that they ought to have done; and from the manner and spirit in which they proceeded, he was apprehensive, that unless the Legislature of this country took the business of Legislation on this subject into its own hands, nothing effectual would be done within any reasonable period of time. After an experiment of seven years since the time when Mr. Canning's Resolutions were passed, much yet remained to be done that should have been done before this time. It ought to be recollected that the master still had the power to give thirty-nine stripes with the cart whip to his slave—man, woman, or child—without challenge; and it was sufficient reason for him to say that the slave had offended him. Suppose such a thing were attempted in this country, between the landlord and the peasant, the speech of his hon. and learned friend, powerful as it was, would be weak, compared with the actual occurrence of such atrocities under our own eyes, in impressing us with a proper sense of their enormity.

"Segnius irritant animos demissa per aurem
Quam quæ sunt oculis subjecta fidelibus."—

The incidents that scarcely affected the people when described as happening abroad, would not be borne, did anything bearing a resemblance to them happen in this country. A late case which happened in Jamaica of a girl severely and even cruelly punished, had been noticed here by the Colonial Secretary; and how was that mentioned in the Jamaica newspapers? They appeared to consider it an insult to the Jamaica authorities, that it had been mentioned here with reprobation, and the circumstance, they said, showed the folly and weakness of at least one member of the Colonial Office. This would not have been said in the newspapers unless it had been in harmony with the opinions and feelings of the colonists. Was that a kind of language which the colonists ought to be allowed to hold with respect to the authorities in this country? Was it not meant as an insult? And was it not the same as saying—"We will do as we please, and flog our slaves as we please?" And yet, if there was any man more disposed than another to treat them with temper and forbearance, it was the Colonial Secretary. With respect to religious instruction, the best was that which was most discountenanced by the Colonial authorities. He did not speak merely his own language, but that of thirteen or fourteen of the members of the House of Assembly, who gave the highest praise to these religious instructors for teaching submission and obedience. It had been said of the Island of Grenada that it had advanced further than others; but that implied that some were behind what they ought to be, and all the islands ought to be put on an equal footing. Then there was no encouragement to the slaves to marry. It was barely a permission, for the married slave had no peculiar privilege; and as for the voluntary manumissions, they did not amount to more than two, or one and a half per cent, and when would slavery be abolished under such a system? As to compulsory manumission, the system of appraisement rendered it almost of no avail. He would not go any further into detail, but there was a point or two of a general nature on which he was desirous to touch. A claim to property in a man, and a claim to property in his favour, were two very different things. A claim to property in a person was forbidden by the laws of God and man. A master might say to his slave.—"Are you happy?" And suppose he answered "I am," the master might say, "I will sell you to the man whom you most hate." In Jamaica the individuals of slave families could not be separately sold at judicial sales; but that was not the only way in which slaves could be disposed of, and the advantage to the slaves was but little; and yet Englishmen had been heard to say that the condition of the slaves was good, as compared with that of the English peasantry. It was better that the Legislature of this country should now proceed without delay to carry its own resolutions on this subject into effect, without trusting to the colonial Legislatures to pass resolutions which they themselves had to carry into execution. He might refer to what the colonial speakers themselves said on the subject. One of them, Mr. Hanby, of Barbadoes, quoted Montesquieu in favour of slavery, but he would recommend Mr. Hanby to study what that great man said of the effects of slavery on the character of both master and slave. He might even quote a speech of Mr. Hanby himself, as to the decrease in the slave-population, and from that they might form an inference as to the treatment of the slaves. His hon. and learned friend had cleared the way for the interference of the Legislature. He had shown its right to interfere, and the necessity for its interference was made perfectly clear. It was high time that we should do what was necessary to induce the colonial legislatures to adopt measures which not only they, but which we should call adequate to the purpose, so that another seven years might not be allowed to pass without doing something effectual. There was one other point about which he was desirous to say something before he sat down, and that related to the protectorate of slaves. It had been considered, and justly, that the protectors ought not to be slave-holders, and the principal slave-protector was not allowed to be a slave-holder. But his assistants might hold just as many slaves as they chose, and that in the very parish or district where their functions were exercised. This could scarcely be consistent with efficient protection, and was rather an evasion of the object of the plan.

Mr. *W. Horton* said, that although there was so very thin an attendance of hon.

Members, still he was glad, for some reasons, that he had an opportunity of addressing the House on this subject. His hon. friend, the member for Evesham, (Mr. Protheroe), had told them how much he had sacrificed by voting in favour of anti-slavery opinions. If it were any consolation to his hon. friend, he would tell him that the Anti-slavery Society had also offered up its victims. That Society had denounced many, among whom he was one, although he had never uttered one word, or written one word, or done one action, in opposition to the Resolutions of Parliament in 1823. After the speech of the hon. Member who had just sat down, he could understand the reason of this conduct on the part of the Anti-slavery Society. It would be in the recollection of the House that, in 1823, Mr. Buxton moved a resolution, to the effect that slavery was repugnant to the Constitution of this country, and to the doctrines of the Christian religion, and that it ought to be abolished. Mr. Buxton's Resolution, he need hardly say, took no notice of the interests of the planters. Mr. Canning, on that occasion, moved counter-resolutions, which were agreed to by the House, and which, after saying that the slaves should be prepared for a participation in those civil rights which were enjoyed by other classes of his Majesty's subjects, continued thus—"That this House is anxious for the accomplishment of this purpose, at the earliest period that shall be compatible with the well-being of the slaves themselves, with the safety of the colonies, and with a fair and equitable consideration of the interests of private property." Such was the vote to which the House had unanimously agreed in 1823. But what had been the doctrines of the Anti-slavery Society since? What were the opinions of the hon. and learned Gentleman, and of the hon. member for Norwich, as expressed that night? Why, that there could be no such equitable consideration of the interests of private property, because slavery was inconsistent with the doctrines of the Christian religion. They gave the word "equitable" to the wind, although they had been parties to the House pledging itself to this Resolution. This, he contended, was not fair and straightforward dealing; if they wished to place the Slavery question on the basis, that to make one man the property of another was repugnant to the doctrines of Christianity, and that therefore the Legislature ought to proceed to the immediate abolition of slavery, without any regard to the interests of private property,—if such were their intention, let them take the opinion of the House and of the country upon it in that shape. He had no doubt what the result of such an appeal would be; but in the mean time, he protested against persons being denounced as friends to the continuance of slavery, because they acted conscientiously in obedience to the vote of the Legislature. He would ask, however, if the whole system of compulsory manumission, which the Anti-slavery Society had enforced on Mr. Canning, did not rest upon the principle that man might be the property of man. That system had at first been open to many objections, but by various Orders in Council it had been so modified as to be deprived of all the dangers that formerly attended it; and he entirely agreed with those who thought that the colonial legislatures ought, in justice, in humanity, and in prudence, to admit it into their law. He differed, however, altogether from those who thought that we should legislate on the subject at home. He was of opinion that nothing could be more unwise than to irritate the West-Indians by attempting to force laws upon them,—because he was sure that that attempt would not only be unjustifiable, but that it would fail entirely. He had heard a great deal, on various occasions, from the other side of the House, about the impropriety and injustice of our interfering with the legislative assemblies of Canada; and would it not, he begged to know, be equally improper and unjust for us to interfere, on this or any other subject, with the legislative assemblies of the West-Indies? He repeated, that he thought the colonial legislature ought to admit into their law those regulations which had been made by Orders in Council for the improvement of the condition of the slaves; but he was quite sure it would be unwise to attempt to force these upon the West-Indians. If the West-Indians refused to admit them, there were other ways of punishing their contumacy: the Legislature might, for instance, put higher duties on their products, but it ought not to interfere with the colonial legislatures. He would take the opportunity of submitting certain Resolutions to the House, not with the expectation that they would be agreed to by the House, but with the view simply of putting them upon record. The right hon. Gentleman then read the following Resolutions:—

1. "That the Resolutions of this House of the 15th of May, 1823, distinctly contemplated, on the one hand, the ultimate participation by the slaves in his Majesty's colonies, 'in those civil rights, and privileges enjoyed by other classes of his Majesty's subjects,' and on the other, the accomplishment of that purpose, subject to the 'fair and equitable consideration of the interests of private property.'

2. "That the changes of law which have been deemed by Parliament the most equitable and expedient for the accomplishment of these two distinct pledges, are to be found in the various Orders in Council which have been issued in the ceded colonies, and which have been successively laid on the Table of the House.

3. "That it appears to this House that the only part of that new system of law which has met with serious remonstrance and protest, in consequence of its tendency being presumed to prejudice the equitable interests of private property, has been those enactments which, in the first instance, introduced the principle of what has been called 'compulsory manumission.'

4. "That it is the opinion of this House that, as long as the money-price received by the master for a manumitted slave shall enable him to purchase a slave of equivalent value, no injury can accrue from the abstraction of such slave, beyond that character of injury which is at all times inseparable from a forced commutation of property, though attended with the fairest principle of compensation.

5. "That it is the opinion of the House that the clauses introduced into the Order in Council of the 2nd of February, 1830, do secure an equitable principle of manumission, as far as it is possible to carry such a principle into effect by legislative enactments.

6. "That this House is at the same time of opinion, that the classes in that Order in Council, which prohibit absolutely all contribution from private individuals or corporate bodies, towards the manumission of a slave, require essential modification.

7. "That this House fully appreciates the degree of caution with which it is necessary to legislate in all matters affecting the equitable interests of property, to the conservation of which this House is pledged; and that it will direct its unceasing attention to the course and effect of this change of legislation in the ceded colonies, for the purpose of satisfying, in the fullest sense, the distinct and difficult pledges of Parliament, above cited from the Resolutions of 1823, which Resolutions equally contemplated the interests of the master, and the well-being of the slave.

8. "That the change of law in the ceded colonies being now fully and satisfactorily accomplished, with the exception above-mentioned, this House is entirely prepared to expect, that the legislative colonies will voluntarily and completely incorporate into their respective codes of law, at the earliest possible period, those ameliorations in the laws affecting the slave-population, which are now in complete operation in the ceded colonies, and which may not hitherto have been adopted by the Colonial Legislatures."

Sir *George Murray* said, it was indispensable that he should offer a few observations to the House. He was anxious to have done so at an earlier period of the evening; but he was not sorry that he had given way to his right hon. friend. It was not, however, his intention to follow his right hon. friend through the various details into which he had been pleased to enter; neither was he prepared to adopt his Resolutions, which he had now only heard for the first time, and in which he could hardly venture to concur under any circumstances, and certainly not without mature consideration. And next, as to the Resolution of the hon. and learned member for Knaresborough, he did not find it possible for him to concur in it; and he should be sincerely glad if the hon. and learned Member would consent not to press it, for several reasons; first, on account of the deserted state of the benches—from which the inference necessarily drawn, when the division went forth to the world, and above all to the colonies, would be—that that important question had been listened to with little interest in the House of Commons. Now, this he should much regret; because he was anxious, whatever might be the opinion of the House respecting this great question of slavery, that it should go out to the colonies with all that weight which the expression of any decision upon the part of a large body of hon. Members must necessarily convey with it. The hon. and learned Gentleman had, in his Resolution, introduced points to which he could not give his assent. He confessed that he did not much approve of the idea of pledging the next Parliament to any line of conduct respecting that important question; it would be far better to leave that Parliament to consider the question without any previous pledge being given in its name, and especially by so very thin a House. Besides, that Resolution went to an extent to which he could not go—it went, not only to the mitigation of slavery, but it pledged the House to the ultimate abolition of slavery altogether. In saying this, however, he trusted it was unnecessary for him to state his dislike to slavery. He could assure the hon. and learned Gentleman that his sentiments altogether coincided with his upon the subject; he considered that the condition of slavery was injurious both to the master and the slave, and was equally inconsistent with humanity and with the Christian religion; but it would not do to travel into abstract principles; in this opinion he agreed with the hon. and learned Gentleman, and after having heard him give it utterance, he was surprised that he had started the question, whether it was or was not fit and proper that such a system should exist? What they had to consider was the actual state of things without reference to abstract principles. The property in a slave was as much property as any other species of possession, and as much under the protection of the law as any other denomination of property whatever. He feared, accordingly, that in assenting to the hon. and learned Gentleman's proposition, they might be proceeding too rapidly, and thus, instead of improvement, they might introduce desolation, and so bring destruction both upon the slave and his master. In these matters it was not judicious to be swayed by feeling; on the contrary, they should take sound moderation for their guide, and be deeply impressed by a calm and considerate view of the dangers which attended proceeding with too great rapidity in the endeavour to produce that improvement immediately which could only be the work of time and deliberation. The hon. and learned Gentleman was also anxious to amend the administration of justice in the colonies, and here he had alluded to a pledge which had been given by him (Sir G. Murray) to that purpose. Now he could confidently state, that there was no indisposition upon the part of Government to do that which he had declared it was desirous of doing; but other subjects, of momentous importance, had occupied the most serious attention of Parliament during a large portion of the Session, and the pledge would have been redeemed if those other measures had not engrossed the greater part of the time of the House, while another portion of it was wasted in discussing questions, which, although no doubt interesting to those Gentlemen who brought them forward, were yet entertained by Parliament without any profitable result. He stated that a measure, with the object desired by the hon. Member, was then under the consideration of his Majesty's Government; and he anticipated little, if any, opposition to it in that House; but he regretted to think that it was likely to experience some in the West Indies; and he was not relieved from that apprehension by what he had heard from an hon. Member that night. He trusted, however, that when the object of it was well understood, all obstacles would vanish. He entirely agreed with the hon. and learned Member in the opinion, that the mother country had a right to legislate for the colonies. He approved of the principle that slave evidence should be permitted—that was to say, he thought a condition of slavery should not incapacitate a man from giving evidence—leaving it of course to the Court and the Jury to give it the weight it deserved. As for the Consolidation Slave Acts bill, he considered it contained many humane regulations, which were well worthy of adoption, but unfortunately there were some clauses which, in his opinion, rendered it inadmissible: and he therefore thought it proper that the disapprobation of Government should be expressed. With respect to the case of the clergyman, mentioned by the hon. and learned Gentleman, who was guilty of cruelty to his female slave, that had called forth the indignation of the authorities at home, and he was then in correspondence with the government of Jamaica on the subject. As to Mr. Orton, it was impossible to hear of the religious intolerance of which he had been the victim without indignation, and he had the satisfaction to inform the House, that the Magistrates who refused to commit the persons engaged in the outrage on that gentleman had been displaced. In answer to another topic he begged to remark, that although entertaining a most sincere respect for the Established Church, he yet thought that the Dissenting Missionaries were more successful instruments than the members of the Establishment in spreading the Gospel amongst the negroes, but he could not at the same time avoid lamenting that these pious persons' exertions were in too great degree tinctured with an overweening zeal and enthusiasm. With respect to the case of a person named Moss, to which the hon. and learned Member had referred, he was aware that that person had been guilty of great barbarities; but he wished to observe that this person's name was Henry Moss. There was a Mr. John Moss in the same island, a very respectable individual, and he was induced to mention this, as he had been confounded with Henry Moss. He did not, however, think with the learned Gentleman, that General Grant's conduct on that occasion was censurable. He had only lent a too ready ear to the representation of some of the most respectable people of the island; and knowing him to be a most humane and honourable man, he had thought it quite consistent with his duty to recommend the General to his Majesty as a proper person to be appointed governor of Trinidad. Finally, he again called on the hon. Member not to press his Resolution; and he said, he thought the Resolutions adopted by the House, on the 15th of May, 1823, were sufficient warrant for the Government to proceed in urging on all possible improvement, consistent with that extreme caution which it ought to feel in interfering in matters so materially affecting the colonists, or in taking any step which might deteriorate their property, or still more, destroy it altogether.

Mr. *Otway Cave* supported the Motion. If he should have the honour of a seat in the next Parliament, and no other person brought forward Resolutions on the subject, he would do so; and he trusted that at the approaching General Election, electors would require from the candidates a pledge that they would give their assistance to all measures calculated to abolish slavery.

Mr. *Manning* was understood to maintain, that the condition of the slaves in the West Indies was not such as it had been represented by the hon. and learned member for Knaresborough. In considering this question, the House ought to recollect the very important fact, that the trade of the West Indies had been greatly reduced within a few years, and that care should be taken not to endanger it still further. There was a general disposition among the colonial legislatures to ameliorate the condition of the slave-population; and he was persuaded, that if the subject were let alone, that desirable object would be much more speedily obtained than it would be by any attempt to urge it forward by motions such as the present.

Sir *Francis Burdett* supported his hon. and learned friend's Motion, and contended that a question of greater interest could not be brought before the House. He could not conceive any possible objection to the Motion. He could not conceive why the Colonial Legislatures should be less inclined to ameliorate the condition of the slaves, in consequence of any declaration in their favour by Parliament. On the contrary, it appeared to him that such a declaration would be a sharp spur to their intentions. He agreed in opinion with the right hon. Secretary of State for the Colonial Department, that this was a question which ought to be discussed with great temper and forbearance. At the same time it was impossible for any man not to feel indignation at the eloquent statements of his hon. and learned friend, the member for Knaresborough. He should be exceedingly sorry, however, to cast any general reflection on all the West-India proprietors. Many among them he knew to be as humane, considerate, and good men, as any human beings upon earth; and he was quite sure that they would be most happy if any means could be pointed out for remedying the evils arising from the existing state of things. It would be to waste the time of the House, were he to dwell for any length of time on the evils attendant on the state of slavery in which so large a part of the population of the West Indies was plunged. He did not mean to say that the colonial legislatures had not done something—nay, that they had not done much; but more remained to be done; and it was highly necessary that the House of Commons should look steadily at what was going forward, and should urge on the tardy steps of the slave-owners. All that the Motion of his hon. and learned friend did was to call upon the House to express a strong opinion on the subject; an opinion which could not fail to produce a beneficial effect on the public mind. Although the adoption of the Motion would not pledge a future House of Commons to any particular course, it would have an effect on the manner in which the subject would be considered when brought forward again. Not having at any time heard suggestions in that House, from those who were anxious to get rid of slavery, as to the best mode of accomplishing that object, and having had several suggestions of that nature offered to him by some West-India proprietors, he would take this opportunity of throwing them out for the consideration of the House. There was no West-India proprietor who would not be too happy if means could be devised of placing the negro-population of the West-Indies in as good a condition, and of rendering them as well behaved, as the labouring population of Europe. The great difficulty was, to discover some motive by which the slave might be induced to labour, without any reference to harsh and cruel stimulants. No man would labour without some motive. All people laboured as little as they could help. It had, however, been suggested to him, that it would be easy, by various devices, to induce the slave-population of the colonies to perform voluntary labour. In the first place, it was supposed that it might be advisable to provide that all slaves having obtained means of doing so, should be entitled to purchase their freedom. Another plan was, that an average should be made of the day's labour of a slave; that he should be set that as a task; and that he should be allowed to employ his surplus time in the furtherance of his own purposes. Another plan hinged upon the possibility of inducing slaves, by granting indentures to them, to work out their slavery; and that this should be accompanied by a remission of duties on the part of Government to the proprietors of those slaves. To supply such motives as would produce the final, though gradual emancipation of the slaves, was a subject well worthy the consideration of Parliament. Although it was certainly true, that the interests of all parties ought to be consulted on this subject, yet the main topic for them to consider legislatively, was, undoubtedly, the condition of the black population itself. Every thing ought to be done for that population which was consistent with justice, and with the due regard which ought to be paid to the interests of other parties. All interests, indeed, should be consulted—the West-Indians and the mortgagees, and above all, unquestionably, the condition of the black population. The public had also a great interest in this question, for the West Indies formed a most important possession to this country, far more important, he contended, than even the East Indies. He trusted that the right hon. Gentleman would not oppose the Motion; and he was firmly of opinion, that the West Indians, by promoting emancipation, would benefit themselves as well as the negroes. He did not think the West-India colonists were to blame for the present system, and the emancipation of the negroes at present would be very hard upon the proprietors. This, therefore, was a question which should be touched upon with great delicacy, and ought never to be agitated, except very gently. Measures should be adopted to prepare them for that state, and if they were resorted to with zeal and sincerity, the time necessary to prepare them might be much shorter than was calculated. The difficulties might be found to diminish as they advanced, and they might come at last to the result which they all so much desired. Anxious that such steps should be taken, he was not disposed to remove the case altogether from the hands of the Government. He gave credit to Government for its intentions, and he was sure that the matter could not be in better hands than those of the right hon. and gallant Secretary (Sir George Murray). But he believed that the good intentions of the Government might be promoted by a vote of that House. He trusted, therefore, that no objection would be made, in the next Session of Parliament, to take the whole of this important subject into most serious consideration, and it would be well for the House, at that moment, to declare that such was its intention; and then, when it was brought under discussion next Session, every one would be fully prepared. While he was upon his legs he would, in connection in some degree with this subject, quit for one moment the treatment and condition of black slaves, and call the attention of the House to the case of the treatment of an English seaman, whose death, it was stated in the public prints, had been occasioned by flogging, He could easily bring the case to the recollection of the right hon. Gentleman opposite, by mentioning the name of the Captain, which was Mingay. He just threw out this allusion to the case, in order that the Admiralty might have their attention directed to the subject; and he begged to add, that at as early a period as possible, he should feel it his duty to bring the subject of flogging in the navy before the House. He had been the more surprised at the account of this man's death, as he had imagined that under the present system no more than twelve lashes were ever inflicted; but it appeared that he had been mistaken, for this poor man had received four dozen, and death was stated to have been the consequence. Some inquiry had taken place, but not of a satisfactory kind. He called the attention of the Admiralty to it, because this was a mode of punishment which both in the army and navy, he hoped he should live to see finally abolished. With respect to the Motion of his hon. and learned friend, it had his cordial support.

Sir *G. Cockburn* said, that with reference to the case just mentioned by the hon. Baronet, he begged to state, that the moment the death of the man was known a Coroner's Inquest sat on the body; and having examined evidence on the subject, the Jury gave a particular award, by which they paid the greatest compliment to the Captain and officers of the ship, for the humane manner in which they had discharged their painful duty. The fact was, that the man was at the time labouring under erisypelas, and that the disease and the punishment acting together, caused his death; but the Jury were satisfied, that both during the punishment and after it, the greatest care had been employed. After the verdict, it was impossible for the Admiralty to blame the officer, more especially as the crime the man had committed deserved the punishment inflicted. There was no actual limit assigned to the punishment a captain could inflict; but forty-eight lashes were rarely, he might say almost never, ordered.

Sir *R. Peel* said, he had never listened to a speech with greater pleasure than to that of the hon. Baronet on the other side of the House. It was a speech calculated to advance that moral improvement, to which alone they could look for the extinction of Slavery. He feared that they never could confer much advantage on the slave by forced legislation. He did not object to the Motion as pledging the Parliament to a particular course, for they had a right to consider Parliament as a continuous body, though now on the eve of dissolution—they had done so in 1806, when that Resolution was passed, which a future Parliament had recognised and carried into effect; but he thought that, except in very extraordinary and pressing cases, pledges ought not to be given, for, if they were not redeemed, they must operate to depreciate the character of Parliament. The Resolution professed to contemplate the final abolition of slavery—a proposition to which he was unwilling to pledge himself, without knowing in what manner it was to be brought about. That was one of his objections to the Motion; another was, that it said nothing about compensation. Arguing with the slave as to the right by which we held him, he must confess that he had no reply; but arguing with the West-India proprietor as to the effect which the abolition of slavery must have upon his property, he would contend, that the proprietor had as strong a claim to compensation as the possessor of any other description of property that could be mentioned. If it was the resolve of that House to remove the blot which he would frankly admit still rested on the national character in this respect, still he felt it ought to be accompanied by another measure, which would show that the Legislature had not, in its zeal for humanity, forgotten the interests of those individual proprietors which might probably be affected, if not materially injured, by its determination to effect a great change in our colonial policy. Would it be wise in the House to determine, in the present state of things, that it would take into its consideration the propriety of an immediate emancipation of the slaves in the West Indies, without maturely weighing and considering the character and the probable effect which this measure would most likely have on the condition of the slaves themselves, in whose favour the measure of emancipation had been agreed to be conceded? The hon. and learned Gentleman, in the eloquent speech they had heard with so much pleasure, dwelt on the dangers which were to be apprehended from the attempt to force a measure of the kind which he recommended on the colonial legislatures, despite of their feelings and predilections on this delicate subject, and had asked if there could be traced any resemblance in the situation of these colonies and our North American colonies previous to their revolt in the last century.

Mr. *Brougham* said, across the Table, his observation was confined to the right of this country to tax the colonies, not to legislate for them in respect to measures of general applicability to the colonies.

Sir *Robert Peel* continued—Could any one dwell for a moment on the horrors to be apprehended from being, in consequence of such an interference by Parliament with the internal concerns of these islands, forced to the awful emergency of waging war upon the white population of our own colonies and the colonial legislatures? With what dangers must such a measure be surrounded, from the probable widening of the breach between the colonists and the coloured population!—a breach which must ever, he feared, continue, so long as slavery itself continued in those colonies. The case of the West-Indian population was singular. They were prepared to look on this subject with very different eyes from those with which we viewed it. "*Virtus non sine moribus viget.*" And much as he should be sorry to find that the conduct of the slave-proprietor in the Bahama islands, Henry Moss, was not an exception to the conduct of other slave-proprietors, he should still more regret that, by any conduct of our own at home, such a person should be hence considered an object proper to excite the sympathy of slave-proprietors generally in the West Indies. Without going to the extent which the hon. and learned Gentleman's motion would pledge the House, he would ask, were there not means in their power of effecting much for the amelioration of the slave, and the elevation of his moral character in the social scale;—for instance, by enabling the slave to give his evidence in courts of law, and in other respects fitting and preparing him to enjoy that blessing which it was the object of all our late measures to impart to him—liberty? Such a preparatory course had not been considered unwise by the legislatures in Grenada and in Tobago. But he knew, from an intelligent individual, that though there might be less hesitation as to enabling a slave to give evidence generally in courts of law, even against the task-master or the overseer, still there were scruples as to the propriety of allowing him to be a witness against his owner, or one who unavoidably had, from his rights of property in him, such a control over the slave. He trusted the hon. and learned Member would, upon mature deliberation, be of opinion that this was not a proper occasion to press the House to a division on the subject. If he were to persist in the intention he had avowed, and divide the House, there would be possibly a fresh ground of remonstrance taken up, on the smallness of the number of Members now present when such an important question was under discussion. He hoped the colonists would take the wished-for hint furnished by this and other motions previously submitted to the British Legislature, and begin to improve and ameliorate the condition of the slave-population; and that the West-Indian colonists would be fully convinced there was no intention on the part of the Legislature here to interfere, so as to interrupt their efforts to improve the morals and condition of those more immediately committed to their charge, and in whom they had every reason to feel the most lively interest. For his part, he was anxious to maintain, and bound to maintain, the authority of Parliament—not to tax the colonies, but to ensure there, as well as at home, the due administration of justice. He hoped the concession, enabling the slave to give evidence in courts of law would pave the way to other arrangements of the local legislatures, which would engender and foster more kindly feelings between the owners of slaves and the slaves themselves; that there would be no pretext furnished to their over-anxiety for their own interests, by the forcible interference of the Legislature at home, to attempt to prolong the dependance of their slaves, and that the West-Indian legislatures would set about, in good earnest, improving the condition of the negroes, in order to prepare them for the reception of more important concessions hereafter; thus warding off in time the dangers which were possibly to be anticipated from that interference of which they were so apprehensive, but for which nothing but their own disinclination to attempt the improvement of their slave-population could furnish Parliament with a motive, or their enemies with a pretext.

Mr. *Brougham* could not agree with the recommendation of the right hon. Gentleman, not to press this Motion to a division. The secret of their small numbers, unfortunately, could not be kept. It was a proverb that a secret was a secret with two, but ceased to be so when more than two persons knew of it, for that the third person was always diffident of his own powers of keeping the secret, and, therefore, at once determined to get the assistance of three or four others. An hon. Member had once complained of him for having, on the 19th of May, 1826, made a similar motion, by which the hon. Member had been subjected to questions on the hustings. Why that was just what he wished. He hoped the constituents would, at the approaching election, ask the same questions. He hoped that candidates would answer by pledges, and that the constituents would warn them, that if these were not redeemed, these Representatives should not represent them again. He knew, that in most other cases a death-bed repentance was of little value, but it went a great way with constituents. But the House was advised to give no pledge, for that it might not be redeemed, and then the character of the House would be lowered. He would not inquire how much character the House had to lose, but he knew that, in the question before them, the performance of their pledges ought to be rigidly and severely enforced. There were precedents for his Motion—first, in that of Mr. Fox, in 1806, on the subject of the slave trade, Mr. Fox then being (unfortunately, for a short period only) the Minister of the Crown, and the leader of the House of Commons; and, secondly, in that of Mr. Canning, on the Catholic Question, on the 22nd June, 1812, when, though the Government moved an amendment, that amendment was rejected, and the question of the pledge triumphantly carried. The right hon. Gentleman (Sir R. Peel) had said, that a measure of this kind could not be adopted without deliberation. Why that was precisely what he (Mr. Brougham) desired. He wished the House to pledge itself that it would take the subject into consideration in the ensuing Session. That was the object of his Motion. The right hon. Gentleman had objected to the introduction of the terms "final emancipation," but he (Mr. Brougham) had not said a word about any fixed period for that measure. Mr. Pitt and Mr. Dundas—and the latter was any thing but a visionary or romantic man—had proposed a resolution fixing a period, after which no negro born in the colonies should be a slave. He (Mr. Brougham) proposed no such measure. All he proposed was, that the House should pledge themselves not to emancipate, but to inquire as to what measures would tend best to ameliorate the condition of the slaves, so as to lead most effectually to final emancipation, but without fixing any time at which it should take place. He had no notion of any appeal to brute force; all he wished was, that Parliament should do its duty. If it waited till the colonial legislatures took up the subject effectually, it might wait for generations, and nothing would be done. The constituents of those legislatures were men who all took a wrong view of this subject, and if the legislatures were disposed to act, they could not. Objections were made in 1807, that if Parliament carried the question of abolition, the colonial legislatures would not consent; but the measure was carried, and not a word of objection was heard from the legislatures of Jamaica or Barbadoes, not to mention Tortola, or other small islands, in the shape of resistance to it. The same thing would occur if the Parliament passed such a measure as he alluded to. When Parliament was found to be firm in its purpose, the colonists would obey. But then the right hon. Gentleman seemed to fear that this country might be called on to make war on the colonists to compel the adoption of the conditions which might be imposed on them. He was surprised to hear such an argument from the right hon. Gentleman. Did the people of this country make war on Ireland to compel the Orangemen to accept the terms of the arrangements flowing out of the concession of Catholic Emancipation? They had heard a great deal of the resistance of the colonies. They were told at the time the slave-trade was abolished, that the colonists would oppose the wishes of the mother country, but somehow or other the object was effected, and they had heard nothing of the resistance. Again, it was said that the colonial legislatures were the fittest to carry the wishes of the abolitionists into effect, because they were best acquainted with the state of the blacks, and the circumstances under which the alterations could be most beneficially carried into effect. If those colonial legislatures represented the intelligence, and the good feeling, and the humane dispositions of the West-India proprietors, he would most readily believe that it would be wisest to intrust the task to them; but, unfortunately, the West-India proprietors, in whom such a trust might be reposed, were all resident in this country, and none but the lower description of whites, men prejudiced in favour of the abuses of the system, and interested in their continuance, were to be found in these assemblies, to which it was wished to leave the power of legislating on this subject. It was his opinion, and he had heard nothing to change it, that the reform must commence at home. He avowed that he was much surprised at the argument of his right hon. friend, the member for Newcastle (Mr. W. Horton), who would not assent to any regulation for the colonies made by Parliament, which, being at such a distance, could not be acquainted with local circumstances, yet his right hon. friend had himself held out to the chartered colonies, not an Act of Parliament, but an Order in Council, drawn up by men not nearer to or better acquainted with the local circumstances, and called upon them to obey that Order. He agreed with the right hon. Baronet, that the worst part of this dismal case was, the effect which certain atrocities had produced amongst society in the West Indies, and he desired no better evidence of the manner in which the wishes of the people of England were likely to be complied with by the colonists, than what was to be found in their conduct towards the Mosses. When Mr. Henry Moss was released from confinement, after having suffered a merited punishment for his cruelty, the whites of the colony actually gave him a public dinner, for the purpose of marking their sense of his conduct. After such an admission as that, it was vain to talk of a dependence on the colonial legislatures. It was vain to hope for any amendment in the regulations, with respect to the religious worship, or the Sunday labour. The Parliament of England must interfere to compel the fulfilment of that pledge, so often given, and so often broken. If the colonists, at the eleventh hour, still hesitated—if they disregarded all the warnings they had received—if at the moment that the eleventh hour was about to strike, they still persisted in contemning the wishes of the people and the Parliament of England, the work would be taken out of their hands, and they would be compelled, in despite of all resistance, to prompt and full submission. He was sorry to learn that his Motion was resisted. He regretted that the Government should have determined to refuse the little he asked, for he thought it much too little; but he had the satisfaction of feeling, that if the Houses of Parliament neglected their pledges, and the performance of their paramount duty, the people of England would do theirs. The House divided—For Mr. Brougham's Motion 27; Against it 56;—Majority 29.

List of the Minority.

Batley, Charles H.
Birch, Joseph
Brougham, Henry
Burdett, Sir Francis
Canning, Rt. Hon. S.
Calthorpe, Hon. F. G.
Cave, Otway
Cholmondeley, Lord H.
Davenport, Edward
Easthope, John
Evans, De Lacy
Ewart, Wm.
Hume, Joseph
Hobhouse, J. C.
Killeen, Lord
Macauley, Thos. B.
Maule, Hon. Wm.
O'Neill, Augustus
Pendarvis, Edw. W. W.
Protheroe, Edward
Palmerston, Lord
Rice, Thos. Spring
Rumbold, C. E.
Robinson, G. R.
Warburton, H.
Whitbread, Samuel
Wilson, Sir R.

TELLERS.

Nugent, Lord
Smith, Wm.

HOUSE OF LORDS,

Wednesday, July 14.

Minutes.] The Legislative Assembly (Canada), the Witnesses Expenses (Ireland), and the Beer and Cider Duties Repeal Bills, were passed. The Holyhead Roads Bill was read a second time.

Returns ordered. On the Motion of Lord TEYNHAM, the quantity of Cocculus Indicus, Quassia and Quash, imported during the last ten years:—On the Motion of Lord ELLENBOROUGH, quantity and value of Military Stores exported to India during the last ten years; expense of the East-India Company for Freight during the same period.

Petitions presented. By Viscount GODERICH, from Tradesmen of Liverpool, against the Stage-Coach Proprietors Bill. By Viscount MELVILLE, from the Solicitors of the Supreme Court (Scotland), in favour of the Court of Session Bill.

STAGE-COACH PROPRIETORS BILL.] The Marquis of *Lansdown* presented a Petition from the Publishers and Booksellers of London, against a clause in the Stage-coach Proprietors Bill. When that Bill was introduced in the other House, a clause was inserted, specifying certain articles, of which the persons who sent them were bound to give notice, and state their value to the coach-proprietors. An additional clause, it appeared, had been inserted in the Bill when it went through its last stage in the House, by which booksellers and publishers were bound to specify the value of the books which they sent by coach. They considered this clause would act to their prejudice, and humbly submitted that books should be classed under the general denomination of merchandise. His Lordship concurred in this opinion, and expressed his intention of moving an amendment to that effect when the report was brought up.

The Order of the Day was then read for bringing up the report, when

The Marquis of Lansdown moved, that the word "books" be omitted.

After a few words from Lord Wharncliffe, who concurred in the Amendment, Motion agreed go.

COURT OF SESSION BILL.] The Lord Chancellor having moved the Order of the Day for the House to resolve itself into a Committee on the Court of Session Bill,

The Earl of *Mansfield* said, that he seldom troubled the House, feeling that it was his duty to listen rather than to speak; but he begged leave to say a few words on the present measure. It had been said that the introduction which had already taken place of Jury-trial into Scotland was generally popular. Even if that were the case, it would not follow that the proposed extension of it would be also popular; but he denied that the introduction of Jury-trial which had already taken place was popular, and supported that opinion by a reference to various documents. In his opinion, the subject ought to be postponed to the next Session, in order to give time for a more deliberate consideration of it. It was true that in the course of the present week their Lordships had afforded several proofs of the expedition with which they were able to legislate; but he very much doubted if the wisdom and prudence of their proceedings were equal to the celerity of them.

The House resolved itself into a Committee.

Lord *Wynford* observed, that as the Bill stood, the introduction of the Jury-trial was confined to the Court of Session. He meant to propose, as an Amendment, that it should be introduced into all the Sheriffs' Courts. He should also propose the extension of the Jury-trial to questions in the Court of Session, such as those relating to Bills of Exchange, &c. to which, by the 6th of George 4th, it did not at present reach. The noble and learned Lord contended, that in all matters of fact, and in all cases in which damages were sought, the decision was much more advantageously intrusted to a Jury than to a Judge; and referred to the declaration of the great ancestor of the noble Earl who had just spoken—he meant the first Lord Mansfield—who had stated, that he had derived all his knowledge on commercial questions from the Jury box. It was highly desirable that the law in any country should be uniform; and as many questions of fact were now referred in Scotland to Trial by Jury, all should be so.

Viscount *Melville* said, it would not be necessary for him to offer many observations in reply to the objections of the noble and learned Lord. It was plain, from the report of the Commission, that the Scotch were not prepared for such an extension of the system of Trial by Jury as the learned Lord proposed. No man occupying any station at the Scotch Bar would propose it; and even if the Scotch were prepared for the plan of the learned Lord, it should form the subject of a separate bill, and could not be mixed up with that before the House, which was merely to give Trial by Jury to the Court of Session.

Amendment negatived without a division.

Several verbal amendments made, and the Bill reported.

SIR JONAH BARRINGTON.] The Order of the Day for the further hearing of the case of Sir Jonah Barrington was then read. Counsel were called in, Sir Jonah attended in person, and addressed their Lordships. He said the state of his health did not allow him to defend himself, and, therefore, he should trust his case to his Counsel.

[The cross-examination of the Registrar of the Admiralty Court, by Mr. O'Grady, to show that the book produced as the Rule-book of the Court was not the original, but a copy taken from another book, which was not produced, was the principal business. The Registrar explained that the book alluded to was a mere waste-book of notes, minutes, or memorandums, from which the orders were, after being put into proper form, entered in the book produced, which was the original record of the orders. Mr. O'Grady requested further time, and an order on a certain person named, to appear as a witness, to show that the book produced was not the original, but a copy. He stated, that he would be prepared on Friday with an affidavit, to show the materiality of this witness.]

The *Lord Chancellor* observed, that three hours was a very long period for the cross-examination of one witness, and after the time of the House, which was of some value, had been taken up at such length, some real and substantial ground must be laid for further delay before it could be allowed. Sir Jonah Barrington had had abundant opportunities of making himself thoroughly master of the case against him, and might by this time have been fully prepared to make his observations and produce his witnesses; and as to the proposition to stay the proceedings, in order to give time to bring forward a witness to prove that the book produced was not the original Order-book, the Registrar had abundantly explained that the book produced was the original record, and that the book which the Counsel for Sir Jonah Barrington called the original was merely a waste-book of minutes and memorandums. Besides, the book made no part of the case against Sir Jonah Barrington, but had been produced at his own desire, and he and his Counsel had had an opportunity of inspecting it. The House expected that Mr. O'Grady would be prepared to make his observations, to examine witnesses, and finish his case, on Friday next.

Further proceedings postponed.

HOUSE OF LORDS,

Friday, July 16.

MINUTES.] The Royal Assent was given, by Commission, to a great number of public and private Bills.

The Stage-Coach Proprietors Bill was passed. The Libel Law Amendment Bill was read a second time.

Petitions presented. By the Earl of ELDON, from the Vicar of the Royal College, Galway, and others, against the proposed Amendment in the Galway Franchise Bill. By Earl GROSVENOR, from Chester, against some parts of the Administration of Justice Bill.

FOREIGN AND DOMESTIC POLICY.] On the Motion for the third reading of the Appropriation Bill,

The Marquis of *Lansdown* rose, and said, that as the Bill just moved usually gave warning of the last moments of the Session of Parliament, he was desirous of stating a few words to their Lordships on general subjects, and also some particular observations on the Bill itself. In so doing he would endeavour to avoid touching on any points of a controversial nature. But as the present Bill gave life and force to all the financial Acts passed in the Session, there necessarily arose an opening for observation connected with domestic and foreign affairs. Without having any wish to raise a discussion, he could not help expressing the deep regret which he felt, in common, he was sure, with both Houses of Parliament and the rest of his Majesty's subjects, that those circumstances in the state of Europe which were justly adverted to in his Majesty's Speech at the commencement of the Session, and respecting which a sanguine expectation was expressed that a final and satisfactory settlement would shortly take place—he alluded to the affairs of the West and East of Europe—remained in the same unsatisfactory condition as that in which they appeared at the commencement of Parliament, and that, unfortunately, his late Majesty's life had closed, and the present Session of Parliament would terminate, without producing the final settlement of either of those important branches of foreign policy. With respect to Portugal, the despotism and usurpation which prevailed at the beginning of the Session of Parliament in that country remained unmitigated at present by any circumstances which could afford a hope of a final settlement, or which would replace this country in those beneficial relations she had hitherto carried on with the Peninsula, and particularly with Portugal. With respect to the East of Europe, it was notorious, that the elements of that Power which, with respect to its extent, government, and independence, was necessarily allied with British interests, still remained to be finally settled. He stated this, not with any wish to discuss the circumstances which might have led to the unfortunate protraction of the settlement of that part of the world, but with the view of inviting his Majesty's Government to lay every information that was possible before Parliament, and to fix the attention of the public and Parliament, deeply engaged though they were with domestic affairs of great interest, on a subject that could not be entirely overlooked. He was the more induced to make this statement at the present moment, because an important change, materially affecting the interests of this country, had taken place in the Mediterranean, connected with events which, far from diminishing, were calculated to add to the difficulties of the negotiations. He alluded to the recent success of the French at Algiers. He was far from meaning to state, that he saw with any thing like dissatisfaction that additional triumph of civilization over barbarism. Taking it by itself, he conceived that it would lead the way to the diffusion of the benefits of Christianity and civilization; but still it must exercise a considerable influence in the settlement of the affairs of the East. He sincerely hoped that that settlement would be made satisfactorily for this country; and that, whatever arrangements might be come to with respect to Algiers, the benefit to be acquired would not be confined exclusively to France, but that the success of the French in that quarter would prove as satisfactory to other Powers as it was glorious to their own arms. There were now some particular points to which he wished to call their Lordships' attention. The present Bill was commonly called the Appropriation Bill, and he thought it a singular circumstance, that it was not usual with their Lordships to print it, because it could never be supposed that any thing adopted for the convenience of their Lordships would be interfering with the privileges of the other House. An additional reason for printing the Bill was, because it contained in a whole the different grants which their Lordships had not had an opportunity of considering separately. In opening the Bill, he found that one of the votes was of 1,126,000*l.* to defray all the different charges of the miscellanies in Ireland, the Army Extraordinaries, Commissariat, Civil Contingencies, Rideau Canal, and the affairs of Windsor Castle. The vote with respect to the miscellaneous services in Ireland had been passed under the following circumstances: Above a year ago a committee of the other House was appointed to inquire respecting those services. That committee presented a report, and he was sorry that none of the suggestions it contained had been attended to. Besides this, other suggestions of great utility with respect to the charter schools, the state of inland navigation, grand juries, tolls and customs, public works, &c. were made, when persons of different opinions after a full and patient inquiry agreed on some points, great advantages would most likely result from putting their suggestions into practical effect, and he regretted that this had not been done. A great many abuses existed in Ireland, and, in a report made to the Woods and Forests, it was stated that the *custodiums* in Ireland was as frightful an engine of oppression as had ever been employed in any country. The charter-schools, foundling-hospital, and proclamations in newspapers, were all described to give rise to great abuses and delinquencies. Since the Union, there had been voted for charter-schools, foundling-hospital, and newspaper proclamations, not less a sum than 2,000,000*l.* He wished also to advert to the state of public works and education in Ireland. To the interference of Government with those matters, to a limited extent, he did not object, but the principle upon which Government proceeded ought to be well understood. Up to the present moment there was no distinct, intelligible, or recognized system. Public works ought to be conducted on a system which would prevent the practice of private jobbing, which unfortunately prevailed to a great extent in Ireland. This might be done by appointing a commission to conduct the works, the members of which could not derive any profit or advantage from acting otherwise than for the public benefit. He looked forward to see next Session, those measures of detail carried into effect, which were of the greatest importance in Ireland, on account of the influence they had on the state of the morals and probity of the people.

The Duke of *Wellington* called their Lordships' attention to that part of the noble Marquis's Address in which he stated that the sums voted in the Appropriation Bill were voted in mass. If the noble Marquis would take the trouble of looking over the Bill, he would find a clause in it, where all the several sums were specified. The measure, therefore, was not liable to the objection which the noble Marquis had stated. Then, with respect to the noble Marquis's observations in relation to Ireland, he begged to state, that it was perfectly true that a committee of the other House did consider all the Irish Estimates, and did make a very detailed report, which contained a great deal of valuable information. His Majesty's Ministers had, however, on their own responsibility, taken the present mode of submitting those items to the consideration of Parliament, and he was convinced, that if the items had come under discussion, the reasons which had influenced his Majesty's Government would have been thought perfectly satisfactory; but so much time had been occupied in discussing other matters, that no opportunity was afforded for considering those estimates. He repeated, that when the subject should be properly considered, the reasons for not following the suggestions of the report would be acknowledged to be satisfactory. There were suggestions, not only in the report of that particular committee, but also in those of other committees, recommending a variety of measures with respect to Ireland. Those suggestions had been, as much as possible, acted upon, in different measures introduced in the course of the present Session, some of which had been passed, and others remained under consideration. He thought it would be allowed that more time was necessary than one or two years after the making of a report to suggest such detailed measures, with respect to every abuse (for abuses, he admitted, existed in Ireland), as would induce Parliament to join with Government to carry them into effect. Measures to remedy those abuses would be introduced as quickly as possible, but the Ministers would not bring forward any one until they had fully considered it themselves. The circumstances of Ireland made it necessary for Government to proceed with caution in touching upon any thing that was established in that country. Having said thus much on that part of the subject, he would now advert to the foreign policy of the country. With respect to the state of foreign policy in the east, their Lordships were quite as well acquainted with the history of the transactions which had taken place connected with that part of the world as he was. All the documents were before them, and the whole history of the affairs up to the beginning of the month of June last, and their Lordships were in as favourable a condition to form an opinion on them as the Ministers. All he could say on the question was this, that the endeavours of the Ministry had been uniformly directed since that period to bring the transactions to a termination, and he had every hope that they would be brought to a satisfactory settlement, as a cordial union prevailed between the three Allied Powers, and they were unanimous in desiring to accomplish that object, and in their efforts to bring it about. With respect to the other part of Europe, he had to say that the great distance between Portugal and Brazil rendered it extremely difficult to bring the transactions connected with those countries to a speedy termination. But he could state that all parties having a common interest in those affairs, were sincerely desirous of conducting them to a satisfactory conclusion; and that a cordial union existed between all the governments engaged in them.

Lord *Holland* did not expect the noble Duke to say a great deal more than he had done; but he must confess that the quantity which the noble Duke had given their Lordships was little enough. The noble Duke had said, on these two important subjects, which had been introduced to the notice of the House, exactly that which he had told their Lordships now for three years with equal solemnity, assurance, and certainty, and with precisely the same reason for his statements as he had alleged to the House on the present occasion. The noble Duke "had no doubt that the negotiations would soon come to a fortunate termination," and the reason was, because "all persons concerned were actuated by cordial friendship and coincidence of views." All this was told their Lordships from the Throne, in that Speech which the noble Duke advised his Majesty to instruct the Lords Commissioners to deliver to Parliament in the year 1828; again at the close of the Session in that year; at the commencement of the ensuing Session, and it had now been told their Lordships again. With respect to Greece, the noble Duke said, their Lordships was in full possession of all he knew on the subject, and was quite capable of forming an opinion on it for themselves. He had, however, still to learn the reasons which led to the change of boundary fixed by the terms of the protocol to be Volo and Arta. No reasons were given in the papers for that change, except extra-official ones, which he believed the noble Duke had abandoned. He supposed that the true and only reason for departing from those boundaries was, because the Government of Turkey had never consented to the arrangement; and secondly, because it was useless, as the suzeraineté was in existence. But the suzeraineté being given up, it had been then recommended to contract the frontiers still more. He wished to have more reasons for this course than what appeared in the papers. With respect to Portugal, the noble Duke said, that the distance of the countries involved in the transaction from each other might prevent the negotiations being so speedily concluded as he could wish. It seemed, then, that though more than two years ago expectations were confidently held forth, that the negotiations would be immediately brought to a satisfactory conclusion, yet since that period the curious fact had been learned that Rio de Janeiro was at a great distance from Portugal. That fact had disappointed the noble Duke very much, and somewhat lowered the expectations he formerly indulged. It was very true, the noble Duke said, that all parties concerned were agreed, but having discovered that Portugal and Rio de Janeiro were at a great distance from each other, he found that more time would be required to conclude the negotiations than he had before anticipated. It was then quite clear that we were exactly in the same situation as when we set out. He must say, he had never known expectations held out with more confidence by any Administration than since the noble Duke and his colleagues had taken office. He had never, in the course of his political life, seen so little interference on the part of Parliament with the conduct of Government, on two such important points as the foreign policy of the West and East of Europe, as had been exhibited by the present Parliament; and yet, after a period of almost three years, the same expectations were held out as at first, exactly in the same words, and the same reasons given, why their Lordships should indulge in those expectations. He only hoped, that when Parliament met again, their Lordships would not place such implicit reliance in the promises of Government, about the fortunate termination of negotiations, as to withhold expressing an opinion of their own.

The Duke of *Wellington* complained of the course taken by the noble Lord in coming down and making a speech such as that which he had just delivered, without any previous notice or intimation. He would confine himself to that part of the noble Lord's observations in which he had alluded to his (the Duke of Wellington's) supposed discovery of the distance of Brazil from England; and on that he would merely observe, that a Gentleman had just arrived with communications (as we understood the noble Duke) on which there had not been sufficient time to come to any definite conclusion. All he would say was, that there appeared to be a cordial desire and concurrence among all parties to arrive at some satisfactory arrangement.

The Bill read a third time, and passed.

Sir Jonah Barrington.] Mr. O'Grady was heard as Counsel for Sir Jonah Barrington. He contended that the Registrar of the Court of Admiralty was unworthy of credit, and that the Registrar was in fault, and not Sir Jonah. He called two witnesses to contradict the evidence of the Registrar in some particulars—but they could say nothing that was evidence bearing on the charges.

The Attorney General, in reply, observed, that the two charges respecting the misapplication of the suitors' money in the cases of the vessels called the Nancy and the Redstrand, did not depend on the books, or on the evidence, of the Registrar, but on documents in the hand-writing of Sir Jonah Barrington himself, and on his conduct.

On the Motion of the Earl of Westmorland, it was ordered that the evidence should be printed. Further consideration of this case adjourned.

HOUSE OF COMMONS,

Friday, July 16.

Committees on Private Bills.] Mr. *Hume* presented a Petition from the Provost, Burgesses, &c. of Dumbarton, complaining of the manner of naming Committees on Private Bills, and of the nomination of the Committee on the Clyde Navigation Bill in particular. The petitioners stated, that committees on private bills were almost invariably composed of Members interested in carrying the bill or opposing it, and consequently, prejudicial to a fair and just conclusion on its merits or demerits, and praying that the House would be pleased to make such alterations in the Standing Orders respecting committees, as would be necessary to ensure that the committees might be formed of such Members as were least interested on the subject coming before them, in order that they might form their judgment from the evidence alone, and not from private or interested motives. The hon. Member considered that this was a subject deserving the attention of the House, for it was well known that one or two members of a committee on private bills, who had motives for so doing, could influence the remaining members in coming to whatever conclusion they thought fit or required. He did not see why the practice adopted in appointing Election Committees should not be extended to those on private bills. The election by ballot would remove all objection, and prevent those abuses which now existed, and which were so prejudicial to private property. He also would wish to see the same strictness observed in compelling the attendance of Members of committees as in election questions, for it was well known, from the absence of Members, that the whole business was done by one or two, and the remainder were called upon to report on evidence they never heard. Out of the 658 Members composing that House, he calculated that there were not more than from 180 to 200 Members who discharged the business of committees. He would recommend, therefore, a plan of dividing the whole number of Members into lists of nine or eleven, and that the Clerk of the House should select, indiscriminately from the whole, a list to form a committee on any private bill, and that they should be bound to attend. This mode would leave the appointment on particular bills entirely to chance, and prevent the suspicion of any improper influence having been employed, or that any prejudice would operate either for or against any measure.

Sir *Robert Peel* agreed in opinion with the hon. member for Aberdeen, that where the private property of individuals was interested, it was necessary that the committee should be constituted of disinterested Members, and free from prejudice on the subject of consideration. He, however, did not agree to the plan of the hon. Member in the appointment of any tribunal by mere chance. In Election Committees challenges were allowed, so that interested Members were excluded. Without this precaution, by the adoption of the plan proposed, it might so happen that seven or eight Members out of the nine to form the committee might be interested. The subject was one deserving the future consideration of the House.

Mr. *W. Smith* considered, that much inconvenience arose from the influence used by Members in private committees.

Mr. *R. Gordon* condemned the influence exercised by Government, as regarded the appointment of committees on public as well as on private bills. No sooner was a committee to be appointed on any particular subject which Ministers wished to carry, than a number of official persons were sent down to form it, and exercise their influence in carrying every thing their own way. An instance recently occurred in the committee on the Windsor Castle Improvements. He was one of that committee, and he did not consider himself bound by the report. It was true, that he was in the small minority of two, but still, had he been in town when the report was presented, he should have protested against it. The committee was arranged just as Government chose.

The *Chancellor of the Exchequer* denied that any such influence was exercised, or that the majority of the committee was composed of official persons. It was too common a practice to impute sinister motives to those who differed in opinion on particular questions. He considered, with reference to the present mode of appointing committees, that although influence might exist in some instances, yet in general, justice was ultimately done. However, as inconvenience did arise, he considered it to be a fit subject for consideration. He did not approve of the plan of compelling the attendance of Members on private committees: it would cause delay, if it were at all practicable.

Mr. *Hobhouse* hoped, that in the ensuing Session the subject would be taken into full consideration. The country was far from satisfied with the manner in which business was transacted in committees. The evil, although not so great as formerly, from the dread of the Committee of Appeals, was still one which was susceptible of great improvement.

Mr. *Calcraft* said, that as Chairman of the Windsor Castle Committee he wished to observe, that the overwhelming power of official persons had not much influence over the decision to which that committee had come; for on looking to the names, it would be seen, that the committee included a great majority totally uninfluenced by ministerial power. The hon. Gentleman then read the names, amongst which were those of Mr. Baring, Lord Morpeth, Lord John Russell, and others. When the Report came to be discussed next Session, he thought the House would agree in the independent character he then gave to the committee.

The Petition to be printed.

SLAVERY IN THE COLONIES.] Mr. *Otway Cave*, in presenting petitions praying for the total abolition of Slavery, from the inhabitants of Brighthelmston, from the general Baptists of Castle Donington, and from the Protestant Dissenters of Buntingford, begged leave to trespass for a few moments on the attention of the House. After the late debate on this subject, which had so much disappointed the expectations of the country, he should be very brief in his observations. It appeared to him that this subject had been hitherto treated upon an erroneous principle. If it could be shewn that the slaves were the property by law of the West-Indian proprietors; then he for one should think it right, not to trouble the House or the West-Indian proprietors further upon the subject. But he felt so confident that no such law existed, that he was ready at once to place the decision of this question upon that point alone. The House was supposed to sit there for the protection of the constitutional rights and liberties of the subject, and was therefore bound to see that natural-born British subjects should not continue to be deprived of those rights to which they were legally entitled. So long as the friends of the unfortunate negroes continued needlessly to admit that they were the mere legal chattels of their masters, it did not require much sagacity to perceive that such measures as compulsory manumission could not be brought into operation, and that the West-Indian proprietors would be justified in resisting all such measures, in the eyes of those who regard the negroes as their private property. The division that took place on Tuesday night might shew the friends of the negroes, that their only hope of success consisted in their taking their stand upon the only tenable ground, namely, that the pretended property of the slave-owner in the slave was one which had no legal foundation whatever. For the purpose of carrying into effect compulsory manumission, and other measures for the relief of the slaves, it was absolutely necessary that this prevailing notion should be scouted as a mere delusion. Hitherto the House had regarded the negroes, not as British subjects, but as private beasts of burthen, the property of the planters, to which they had a legal right. It was necessary that that error should be put down; it was necessary for the friends of the negroes at once to adopt the principle, that the negroes were not the mere chattels of the West-Indian proprietors, but British subjects, entitled equally with them to the rights of British subjects. It was in spite of the constitutional law that the West-Indian proprietors asserted a right to a vested property in their slaves. He believed that the right hon. Gentleman opposite would be glad if it could be proved that such was the case, and if it could be shown that this pretended right of property in the slaves had no legal foundation. Indeed, if any such law existed, the Ministers would betray their duty to the Crown and to the people, if they did not at once bring in a bill to repeal it. He defied the lawyers of that House to point out any legal provision which sanctioned slavery, and gave to the slave-owners a legal right of property in the slaves. It appeared to him that the Anti-Slavery Society ought to rest their case on that point. They were not further advanced in their labours now, in 1830, than they were in 1823, when resolutions were brought forward on this subject by Mr. Canning, with the acquiescence of the West-Indian proprietors themselves, and which were evidently calculated and intended to defeat the motion of the hon. member for Weymouth. A very unequal consideration had been given to the interests, as they were called, of the different parties; and the claims of the West-Indian proprietors, destitute as they were of all legal foundation, had received more attention, and been more carefully cherished and protected, than those of the slaves. By keeping up the delusion that the slaves were legal property, the slave-owners accomplished the great object which they had in view. They created delay, and ensured their possession of the slaves for an indefinite period. They knew very well that but little was to be feared from holiday speeches. It appeared to him necessary to draw the public mind at once to the real question at issue; namely, whether the negroes were not British subjects, and whether they could be compelled to be the slaves of other British subjects? How could it be expected that the slave-owner would do anything towards cultivating the mind of the unhappy beings, whose brutalization was necessary for the support of his tyranny. He said thus much, because it must afford some consolation to the anti-slavery party out of doors to know, that this horrible system must fall to the ground, whenever it was made the object of direct attack, and when the anti-slavery party should desist from carrying on a petty war of out-posts; not that he had any objection to such statements as that made the other night by the hon. and learned member for Knaresborough; being indeed of opinion, that such instances of cruelty as he related, were usefully exposed in such publications as the *Anti-Slavery Reporter*. But these occasional atrocities were mere aggravations of the crime, and ought not to make us lose sight of the main question—the utter illegality of slavery itself, and that it existed merely by connivance. Slavery was as little supported, by the law, as by the principles of Christianity and the spirit of the Constitution. At all public meetings, therefore, and in all places where these great constitutional questions might be brought forward, care ought to be taken to press upon the Legislature this particular point. The great and fundamental truth at issue was no less than, whether the law of the land acknowledged or not, that man could be the property of man. He held in his hand a declaration, which would serve to convince the House of the great progress which the cause of humanity was making throughout the country. It was from Bristol, a place hitherto considered as the strong-hold of the slave-owners, and was signed by many influential inhabitants, connected by the ties of blood and of friendship with many slave-owners, and yet they had manfully come forward and made this declaration:—"We, the undersigned, are firmly convinced, that freedom is the birthright of every human being; and that every person owning allegiance to the Crown of this empire is justly entitled, as the condition of such allegiance, to the full enjoyment of the civil rights and immunities of a free-born British subject. We consider no man to be a fit Representative of Britons, who does not entertain these opinions as sacred and inviolable articles of his political belief. And we hereby pledge our word and promise, to each other and to the world, that in the ensuing general election we will give our respective votes to no candidate for a seat in Parliament, who will not publicly and solemnly engage to promote the practical application of these principles, whenever British Colonial Slavery shall be brought under the consideration of the House of Commons." After the consummation of the great civil victory, if he might so call it, of last year, he had hoped that the great man who accomplished it, would have added one more wreath to the laurels he earned, by the settlement of this kindred question: but he had become convinced, particularly by the division of the other night, on the motion of the hon. and learned member for Knaresborough, that no hopes of the kind could be justly rested on the present Administration. Having mentioned that hon. and learned Member, he would venture to congratulate the country upon possessing a man so well able to stand in the breach, and fight the good fight for such a cause. When he saw, however, such a resolution as that the learned Member moved, who, in moving it, declared his fear that he was not going far enough or fast enough with the people out of doors; when he saw such a resolution opposed by Ministers, what hope could Parliament or the country place in them. He trusted, therefore, that the friends of the cause would persevere in promulgating the doctrine, that if the British Legislature refused to interfere, the consequences that might ensue would rest upon the heads of those who provoked them. If the House refused to interfere, the slaves, he thought, would be justified, before God and man, in taking by any means that which they were entitled to—of taking by force that which force and not right had dispossessed them of. He could not conclude the few observations he had thought it proper to offer to the House, in presenting these petitions, better than by saying, in the memorable words of the hon. and learned member for Knaresborough in 1823, "Difficulties there may be, as there are in every case, but are they insurmountable? I think not; and that no one will be stopped by them who does not wish to be impeded."

Mr. *H. Twiss* hoped, that the hon. Gentleman would retract his expression, that if the House did not take some steps for the abolition of slavery, it would be justifiable on the part of the slaves to do that by force which, in his opinion, ought to be done by fair means. The effect of such a declaration might be, to throw all properties and all interests into a deep aud most inextricable confusion. He trusted no effect would be produced by the hon. Gentleman's speech. He had made use of expressions which sound policy could not justify.

Mr. *W. Smith* thought, that it would have been better, had the expressions which had fallen from his hon. friend, the member for Leicester, been spared. At the same time he must add, that it would have been still better, if the hon. and learned member for Wootton Bassett had left them unnoticed after they had been used. He concurred, however, with his hon. friend near him in thinking, that slavery had never been established by law in the British dominions; and with a view of proving that point, he read to the House several extracts from Bryan Edwards's *History of the West Indies.* For his own part, he thought that the House was bound to interfere, and put an end to the present system, if for no other reason, at least for this,—that if they left the West-India proprietors entirely to their own counsels, they would soon see them plunged in inevitable and irretrievable ruin.

Sir *G. Murray* was unwilling to prolong the present discussion, which appeared to him to have been brought forward rather unnecessarily, considering the ample justice which had been done to it upon a former evening. He knew, however, that this was a subject on which it was difficult for any Gentleman, after he had once begun to speak, to check his feelings, and to confine his language within the limits which he originally intended. It was indeed difficult to speak of slavery in an assembly of free men, without giving way to that enthusiastic warmth of denunciation which was naturally excited by a contemplation of its horrors. He admitted that slavery must have its origin, in the first instance, in injustice and inhumanity; but he contended that we could not, in the present circumstances of the West Indies, go back to inquire how slavery had first been established among them. We found such a state existing there at present, supported by the laws of the different islands, and recognized by our own laws. His opinion was, that we ought to ameliorate the system, with a view of getting rid of it altogether; but the interests of humanity required that we should proceed to that great object with caution, not only in the steps which we took, but also in the language which we used. No expression directed against slavery could be too strong, if it did not go beyond the walls of Parliament; but every body knew that their expressions went much further, and that when intelligence of them reached the colonies, they were liable to be misinterpreted by designing individuals. He could not but regret that the hon. member for Leicester had used the expressions which had called forth the animadversions of his hon. friend behind him. He did not think that it would have been right to allow them to pass unnoticed at present, inasmuch as it would have led other Members to venture upon expressions still more outrageous, under the impression that the direct avowal of their detestation of slavery would be the best mode in the world of recommending themselves to the notice of their constituents.

Mr. *Otway Cave* persisted in his former declarations. To say that the slave had not a right to resist the man who oppressed him, was a doctrine too monstrous for any man of common sense to assert. The right of resistance to the oppressor was as clear and indisputable as the right of resistance to the beasts of the field. Protection and allegiance were reciprocal obligations; and if protection was withheld from the slave, it was unjust to expect that he should continue stedfast in allegiance. There were many West-Indian proprietors to whom no man could feel more kindly than he did. He wished to prevent them from carrying matters to that fatal necessity, which would sooner or later arrive, if they did not change their present system. With that view he was anxious to point out to them the danger of their position, in order that they might, if possible, avert it.

Mr. *W. Smith*, after complimenting Sir G. Murray very highly for the sentiments which he had just avowed upon the subject of slavery, proceeded to say, that the chief reason which had induced him to rise on the present evening was, an allegation which he had seen in a petition, recently presented to the House, from certain slave-owners of Demerara. The allegation, of which he now complained, was, that their slaves were as much their property as their mahogany chairs and tables. This was a doctrine so monstrous, that whenever he saw it in print, or heard it mentioned in conversation, he must rise to enter his protest against it.

Petitions to be printed.

RYE ELECTION.] Sir *R. H. Inglis* presented a Petition from the Rev. Augustus Lamb, complaining of the decision of the Committee appointed to examine into the merits of the Rye Election, and desiring that a Committee of Appeal might be appointed to re-try it.

Mr. *Hume* said, that he would take that opportunity of expressing his hope that there was no truth in the report that his Majesty's Ministers were supplying the parties with money to support this petition.

Sir *R. Inglis* said, that he could not answer that question. The petition had been put into his hands in the House, and he considered it to be his duty to present it.

Mr. *O. Cave* said, that he had heard the same report. He hoped that the Chancellor of the Exchequer would not continue silent, but would, for the sake of the Government, give a distinct denial to this charge.

The *Chancellor of the Exchequer* said, that he was not called upon to answer mere insinuations. No one had a right to call upon him in that House to contradict matters of common rumour. If the hon. Member had any charge, connected with this petition, to bring, either against him or his colleagues in office, let him bring it forward in a distinct and open manner, and then, but not till then, would he vouchsafe to answer it.

Mr. *O. Cave* said, that though the right hon. Gentleman would not vouchsafe him a reply, his virtuous indignation at this rumour was a sufficient denial of its truth. He had made no charge—he had brought no accusation against the right hon. Gentleman. He had merely said, that for the sake of the Government, such a charge, if untrue, should be contradicted.

The *Chancellor of the Exchequer:* When the hon. Member brings a distinct charge of bribery and corruption against either myself or any of my colleagues in office, I will give him and the House an answer. At present, however, no charge is made; and why? Because it is convenient to circulate expressions of this kind at present against the Government, and to let them work their way as they can. If the hon. Member has ground for charge, let him bring it forward directly, and I will then treat it as it deserves. If he has nothing but common rumour to go on, I will not say a word; for there would be no end to contradicting the common rumours which circulate against every Ministry.

Mr. *S. Rice* said, that if there were any ground for a charge of this nature, it would properly be examined on an election petition. That no such examination had taken place, was a proof that the charge was without foundation.

Mr. *Hume* said, that the manner in which the Chancellor of the Exchequer had treated the subject, made him believe that there was something more serious in it than he had at first imagined. The right hon. Gentleman had attached an unusual interest to the question by the manner in which he had treated it.

The *Chancellor of the Exchequer* said, it was a matter of indifference to him what the opinion of the hon. Member might be; but if the hon. Member had reason to entertain a strong belief that the conduct of Government had been such as was reported, he would be guily of a dereliction of duty if he did not bring the subject before the House.

Mr. *Hume* said, that no one had charged the Government with having been guilty of bribery and corruption. They might, however, have improperly appropriated the public money to the payment of legal expenses. He was surprised to see the right hon. Gentleman display so much virtuous indignation on the subject.

The *Chancellor of the Exchequer* said, he was not conscious of exhibiting more of virtuous indignation than was necessary. Personal character was dear to him: the hon. member for Montrose might place what value he pleased upon it.

Mr. *Trant* expressed his surprise that any person should believe such absurd reports as had been alluded to. It was reported, that Government had paid the expenses of his election for Dover, but unfortunately, they did not advance a farthing for that object.

Petition laid on the Table.

CANADA.] Mr. *Labouchere* expressed a hope that the right hon. Secretary for the Colonies would, early in the next Session of Parliament, bring forward a measure to effect a settlement of the existing differences in Canada.

Sir *G. Murray* said, he was fully aware of the importance of the subject; and he certainly would, early next Session, press forward a measure as much as possible.

HOUSE OF LORDS,

Monday, July 19.

MINUTES.] The Earl of ELDON presented a Petition from the Magistrates of the County of Pembroke, against the Administration of Justice Bill.

COLONIAL SLAVERY.] Earl *Grosvenor* was desirous, before the termination of the Session, to call the attention of their Lordships to a subject of the highest importance, and one which was deeply interesting to a great portion of the most respectable classes of society in this country—he meant the state of the Slave-population in the West Indies. He regretted to say, that very little had as yet been done, on the part of the Colonial Legislatures, to ameliorate the condition of the Slaves. Their Lordships were aware of the Resolutions which had been passed in 1823, with a view to the improvement of the slave-population of the colonies, and the ultimate abolition of slavery, and they were now aware how little had been done to carry those Resolutions into effect. It had been suggested many years ago, that an Act of Parliament should be passed, declaring that, after a certain period, all children born of slave parents should be free, and yet that measure had never been carried into execution, and he was not aware that Government had taken any steps towards its adoption. Under these circumstances he gave notice, that if no other person brought forward the subject, he would at an early period of the next Session of Parliament, move for leave to bring in a bill to declare that all the children born of slave parents should be free. He was also anxious, that, if possible, some period should be fixed for the abolition of slavery altogether. It appeared to him that the Government might have induced the colonial legislatures to adopt those measures with respect to slaves, which had been adopted by the Government in those colonies which were governed by his Majesty in Council. This, however, they had not done, and altogether, the expectations which had been formed from the Resolutions of 1823, had hitherto been signally disappointed.

The Duke of *Wellington* observed, with reference to the suggestion of the noble Earl, that an Act should be passed to declare that the children of slave parents should be free, that such a measure, under the present circumstances of the slave population, was impracticable. If it were to be declared that all the children born of slave parents should be free, he for one should wish that the noble Lord would explain how he could find means to take care of them. Before the noble Lord decreed their emancipation, he ought to bring in a bill to provide for them. With respect to the colonies under the Government and control of his Majesty in Council, the Ministers had done what they could to carry the Resolutions of 1823 into effect, and had thereby evinced their sincere desire to improve the condition of the slaves, as much and as speedily as was practicable, consistently with a proper respect for the colonial legislatures, and for the interests of private property. This having been done, would it not be worth while to wait a little, in order to see whether the measures adopted in the ceded colonies might not be attended with such obvious advantages as to induce the colonial legislatures to follow the example? It appeared to him that this would be the wisest and the safest plan; and he hoped that the consequences of those measures would be such as to lead to the universal adoption of them.

Earl *Grosvenor* thought Ministers ought certainly to have taken further steps to have the regulations carried into effect. Their conduct in this respect had grievously disappointed the expectations which had been formed by those who were anxious for the speedy amelioration of the condition of the slaves, that the abolition of slavery altogether might the sooner follow. There was another subject to which he wished to call their Lordships' attention, and that was the state of the Game-laws. These laws required revision, and he was sorry that nothing had been done this Session, to give effect to that desirable object.

Lord *Calthorpe* remarked, that Ministers had not done all that they could to carry the Resolutions of 1823 into effect, even in the colonies which were subject to the direct control and government of his Majesty in Council. For instance, the important point of the admission of slave-evidence had not been carried to its proper extent. With respect to the other colonies, Government ought, without longer delay, to interfere effectually to have the object of the Resolutions of the Houses of Parliament carried into effect. As to the difficulty of taking care of the children of slave parents, in case they should be declared free, he should consider the speedy extinction of slavery to be cheaply purchased at almost any price.

Game Laws.] Lord *Wharncliffe*, in allusion to what had fallen from the noble Earl, respecting the revision of the Game-laws, observed, that he had for some time been convinced that these laws must be revised, and most undoubtedly he had seen no reason to alter his opinion. He had intended, therefore, to have brought in a bill on the subject this Session, and refrained only in consequence of an intimation that it was the intention of a right hon. Gentleman, in the other House of Parliament, to bring in a bill on the same subject. If that bill should be such as to answer the purpose he had in view, he preferred that the subject should originate in the other House. He had seen the bill, and found that it would, in a great measure, meet his views, and some of the clauses were copied from the bill which he had brought into this House. The bill, however, had been dropped for the present Session, owing to the multiplicity of other business; but unless a bill for the revision of the Game-laws should be brought in next Session by some other person, it was his intention to follow up the course which he had before taken on that subject.

Coal Trade.] Earl Bathurst having laid on the Table a Report of the Coal Trade Committee,

The Marquis of *Londonderry* congratulated the House that a Report from this Committee had been laid on their Lordships' Table, after its labours of two years. It was not his intention to enter at length into the consideration of that Report on the present occasion, but it might be proper to state some of the results at which the committee had arrived. One of these was, that it was indispensable that the Coal Act of the 47th George 3rd, should be reversed, and that coals should be sold by weight instead of by measure, in order to prevent the frauds upon the consumer to which the measuring system gave rise. Another result was, that the charges on coals in the Port of London afforded the Corporation the extravagant surplus revenue of 60,000*l.* per annum. The coal-meter system, too, ought in the opinion of the committee, to be abolished, and a better and more economical arrangement adopted for clearing the ships; and the improvident practice of consuming the waste coal, without benefit to any one, ought also to be abolished. Without at present entering into the merits or demerits of the proceedings at the Port of London, he might state, that the accusations and calumnies against the coal-owners had been amply refuted by this Report of the Coal Committee. It had been held out in some quarters that measures ought to be taken to protect the public against the combination of the coal-owners; but the committee had declared, and justly declared, that as long as a free and open competition existed, as at present, between the coal-owners, it was impossible that the public interests could be injured by any combination among them. The free competition afforded the public ample protection. He hoped, therefore, that an end would be put to the calumnies which had been circulated to the prejudice of the coal-owners. He congratulated their Lordships, and the country, on the mass of information, on this important subject, which they had now before them; and which was unequalled by any information, with respect to the coal trade, ever collected before. The evidence of Mr. Buddle, the clerk to the Tyne and Wear Navigation Company, was particularly valuable, and he recommended it to the special attention of their Lordships as placing in a clear light the charges in the Port of London. He again congratulated their Lordships on having such a Report before them, and he hoped that means would be speedily found to do away with what he might call the nefarious charges which so much enhanced to the public the price of this indispensable article. A law to reduce these charges to a proper and moderate rate would be one of the most valuable legislative measures that could be adopted. There was one point, however, which, although a most important one, had not been pressed by the committee so much as he thought desirable; he meant the Government duty of six shillings the chaldron on sea-borne coals. That duty was, in his opinion, far higher than it ought to be, and he was desirous that the committee should have introduced into their Report a strong recommendation materially to reduce, if not entirely to abolish, that duty. There were others in the committee, however, who thought it best not to press that point, and the Report had been framed accordingly. He hoped, however, that the calumnies against the coal-owners for their monopoly had been by this Report completely done away with.

Madras Registrar's Bill.] Lord *Teynham* presented a Petition from

B. Hutchinson and others, praying that a clause might be introduced into the Madras Registrar's Bill, to oblige the Company to pay the money which they had lost by the failure of the Registrar. The reason which they alleged was, that they had lost their property by the neglect of the Company, and the Company ought to be answerable for the consequences.

Lord *Ellenborough* observed, that the Company had nothing to do with the matter, and that no blame whatever attached to them. The fault rested with the Supreme Court, which had neglected to take the proper security, and one object of the bill now in progress was, to remedy the inconvenience as far as could reasonbly be done. But the Company was not to blame for the neglect of the Registrar. Whatever fault there was, rested with the Judges of the Supreme Court.

East Retford Disfranchisement Bill.] On the Motion of the Earl of Shaftesbury, the Order of the Day for the second reading of this Bill, was read; and the question was put, that the Bill be read a second time.

The Marquis of *Salisbury* said, although many noble and learned Lords had already taken a part in the discussion on this Bill, he hoped that their Lordships would not think it presumptuous in him to offer an opinion on it; or, at the least, to state to their Lordships the grounds on which he gave it his support. In the cases of Aylesbury, Cricklade, Grampound, and others, their Lordships had recognized the principle on which this Bill was founded, and had reformed those boroughs in the manner they had considered suitable to the circumstances of the case. Their Lordships punished the delinquent boroughs, upon the ground that a Corporation was answerable for the acts of a majority of its Members, and as general corruption was proved to have existed in the exercise of the elective franchise, all those intrusted with the exercise of that franchise were justly punished. On that ground their Lordships were called upon to act in the present case. It was not asserted that all the electors of East Retford had acted corruptly; but general corruption had been proved by the testimony of witnesses at the bar. He would not trouble their Lordships with the details of the evidence, but by that he thought it had been proved, that bribery and corruption had prevailed in the borough of East Retford from a very early period. So far back as 1796, their Lordships had heard persons acknowledge that they had received bribes, and that bribery was then the usual practice. In 1802 similar practices occurred, and five persons had acknowledged at their Lordships' bar that they had then received bribes. Two persons had confessed to the same corruption in 1806. In 1807, ten persons, and in 1812 no less than sixty-four persons were guilty of the offence; and various promissory notes of those dates confirmed their admissions. It appeared also, that these sums were not merely given as a reward for past services, but as a retainer for future occasions. The expression of "being Marshed" on an occasion of non-payment, clearly shewed that there was an understanding on the subject. He did not at that period find evidence to affect the majority; but on coming down to the election of 1818, all the former evidence was strengthened and confirmed. Mr. Evans, a gentleman who had not even an acquaintance at East Retford, in consequence of a loose conversation in a stage-coach, went to the Town-clerk, the principal member of the Corporation, and announced his intention of becoming a candidate for its representation. The first thing done was, to give him an introduction to Mr. Kippax, who at once told him he must deposit a certain sum of money, and on Mr. Evans asking why, the answer of Mr. Kippax was, that the object was to shew that he had money at his command. Mr. Evans was next introduced to Mr. Thornton, an Alderman of the borough, who was recommended to be his agent by Mr. Mee, the Town-clerk. Mr. Thornton plainly told Mr. Evans, that if he were returned to Parliament it would be expected of him that he should pay the voters. He received 160 promises out of 188 voters, and of how many out of these 160 did their Lordships think were uninfluenced by the expectation of having money given to them? It appeared, by a list in Mr. Thornton's hand-writing, that 126 were actually paid by him, and that twenty-seven were paid by a London agent, making altogether 153 out of a total of 188 voters, leaving only thirty-five voters against whom nothing had been proved. Supposing their Lordships disinclined to believe Mr. Evans and Mr. Thornton, whose evidence, however, he thought deserved full credit, let them look at the manner in which they were corroborated. Out of 188 voters alive at that time, forty-seven were dead. Of the 141 remaining eighty-five had admitted at the bar the actual receipt of the money; and unquestionable proof had been given of the corruption of the rest. In proceeding to notice the election of 1820, it would not be necessary for him to enter into a detail of the circumstances which then occurred, as they were precisely similar to those of 1818. Of 190 voters, 171 gave their support to Mr. Evans; and the number paid by Mr. Thornton was 164. Of the voters of the year 1820, 145 still remained alive; of them 84 had been examined at their Lordships' bar, and the fact of corruption had been proved against eight others, making ninety-two persons whose corrupt practices had been distinctly shewn. He would not say any thing further with respect to the elections of 1811 and 1812; except to remark, that those who were active in the canvas of the place then, also took a considerable share in the transactions of 1826. Mr. Foljambe, a banker of great repute in the town of East Retford, had absconded, leaving his clerks in ignorance of the place of his concealment, so that it had not been possible to bring him to their Lordships' bar; but it had been proved by his clerk, that 2,800*l.* were in one day made up in packets of twenty and forty guineas each, according as the votes were single or double. It was impossible, from the period at which this inquiry began, to call evidence to shew that in 1826 the majority of the voters were corrupt; but when their Lordships considered that the majority then consisted of those who had been bribed in former years, and that those persons still formed the majority, there could not be much hesitation in coming to the conclusion, that the majority were also corrupt in 1826. Mr. Foljambe, however, was an active agent in that election; and it had been proved that he said, "all should be right"—"all should be as usual;" which was explained to mean, that twenty guineas should be paid to every voter. Against another agent, who canvassed the borough for Mr. Wrightson, it was proved that he made two or three distinct attempts at bribery; and to an assemblage of burgesses, by whom he was elected as Mr. Wrightson's agent, he said, among other curious things, that they had "both men and money." On the occasion of a person named Marsh offering himself as a candidate at a meeting of the London burgesses, Alderman Parker said, that they had always done well before, and if they would vote for a particular individual, they should do well again. Similar declarations had been made by other members of the Corporation. Another material point was, that when Mr. Ogilvy became a candidate, the first demand made on him was for a deposit of money. All the facts stated concerning the borough were, in general, proved by witnesses worthy of credit; indeed, with the exception of Hornby, whose character was such as not to induce their Lordships to place much credit in his evidence, there was not one of the witnesses called upon whom their Lordships might not depend. Let the House see, then, whether, upon this evidence, the character of the present body of voters was such as to induce their Lordships to consider them fit to be intrusted with the elective franchise? Of the voters that existed in 1827, there were only fifty-nine whose characters had not been stained by corruption; but of that number forty-seven had become voters between 1820 and 1826, and who, in consequence of the investigation going on in Parliament, had had no opportunity of receiving money, whatever their inclinations might have been. It was not his wish to enter further into the evidence, as enough had been said, to prove that Members were sent into the other House of Parliament from this borough by corruption. He was not sufficiently well acquainted with the niceties of law, thoroughly to sift the whole evidence, and point out its bearings upon every part of the case; but it could not be difficult for their Lordships to come to the conclusion, that there was proof enough to authorize them to follow the precedents already set, of interfering, by legislative enactment, for the punishment of such corruption, notwithstanding the penalties already attached to bribery by the law. Their Lordships must have perceived, that on the part of the candidate there had been a deliberate intention to buy votes, and on the part of the electors a settled determination to sell their votes to the best bidder. He would not enter into the question of the subsequent disposal of the franchise of the borough, supposing their Lordships to conclude that it ought to be disfranchised, because a noble friend of his had given notice of a motion on the subject, should this Bill go beyond a second reading. He would merely remind their Lordships, therefore, that in 1818 and 1820, two thirds of the whole body of the voters were corrupt, and that, at the commencement of this inquiry, a large majority remained corrupt, though some exertions had been made to increase the number of uncontaminated voters, and he would beg leave to move the second reading of the Bill. He must, however, add, that he was ready to enter into an examination of the separate parts of the evidence from which he had formed the conclusion in which he asked their Lordships to coincide, if such was the wish of any noble Lord.

Lord *Durham*:—Being one of those three or four individuals who, in common with the noble and learned Lord on the Woolsack, have attended the progress of this inquiry, I trust, my Lords I shall not incur the charge of want of courtesy to others, if I thus early rise to address you, particularly as I differ most widely with the noble Marquis who has just sat down, not only on the expediency of this measure, but also as to the conclusion to be deduced from the evidence. I apprehend I am right in assuming, that this is not to be considered as a Government question, nor do I consider that, at the present stage of our proceedings, this Bill can be looked upon as affecting the principle of Reform of Parliament. I look upon this as a judicial question, and feel that we are called upon to express our opinion on the evidence produced before us, given, as it is, upon a Bill which will deprive of their civil rights a considerable portion of our fellow subjects. Acting, therefore, as Judges, I shall presume that we are to be guided in our judgment of the evidence by the general rules of law. The noble Marquis observed, in the course of his speech, that he had not sufficient understanding in the niceties of law, to examine the evidence adduced at our bar; and I must certainly say, that even if he had not made that declaration, I should have been equally convinced of the fact, from the arguments he has brought forward, in his endeavour to prove that a considerable majority of the voters of East Retford are corrupt. In what way has the noble Lord endeavoured to prove that these voters are guilty of the crime charged against them; and in what way has he attempted to make your Lordships give credit to the fact? Undoubtedly, if loose conversations at taverns,—if declarations in public-houses,—if loose talk in stage-coaches, and other gossip of that kind, is to be taken as conclusive evidence against the burgesses of East Retford, then they are guilty of the offences alleged in the Bill. I am ready to admit, that many of them are guilty of using the language imputed to them, and of making these improper declarations; but the question we have to decide is, not whether these men, over their glass of ale or bottle of porter at a public-house, made use of those expressions of "all's right," and others of that description; but whether they have been proved by legal evidence to have received money for their votes. I apprehend that, if the question is to be thus decided according to the legitimate rules of evidence, the noble and learned Lords, of which there are now so many in the House, will join with me in saying that it is impossible to bear out the case of the promoters of the Bill; for although we had not always the benefit of the attendance of those learned Lords, there can be no doubt they have read and attentively considered the evidence produced at our bar. Having said thus much of the principle on which the noble Marquis has attempted to make out his majority, I may be permitted to recall to the recollection of the House, the very different principle which has governed us in all former cases of disfranchisement; namely, that bribery should be proved to have extended to the majority of the voters. Great authorities may be adduced in support of this principle; amongst others, I have the authority of the noble and learned Lord on the Woolsack, who stated last year, on a discussion on the Penryn Bill, that in no case had such a bill passed, unless it had been clearly established that a very large proportion of the voters were affected by the evidence. Many good and sound reasons may be given for the adoption of this principle. First, it has been held that the right of choosing Members of Parliament is not merely an individual right, but is vested in the whole body of the voters, acting as a corporation. In support of this position I have the words of a very distinguished authority, and I beg to say that, in quoting them, as in many other arguments I shall use, I am aware I am only repeating that which has been much better urged at the bar of the House, by the able Counsel employed to defend the rights of the electors of East Retford. Lord Holt, in the case of Ashby and White, in Howell's *State Trials*, says—"The other right of choosing Parliament burgesses is not annexed to any freehold or estate in possession, but vested in the freemen of the place, and is created in this manner; viz.—when a town was incorporated, a grant was either then or after, made to the body politic, that they shall have two burgesses for the Parliament to be chosen either by all the freemen and inhabitants of the place, or such a selected number as is prescribed by the charter. The inheritance of this privilege is in the whole Corporation aggregate, but the benefit, possession, and exercise, is in the persons of those, who, by the constitution of those charters, are appointed to elect." Therefore, I say, that the inheritance of the privilege of voting being in the Corporation, it can only be forfeited by the misconduct of the Corporation. I need not say that a Corporation can only act by its majority. It requires, therefore, the acts of a majority to affect in any way the privileges of the Corporation. All acts done by the minority must be considered as the acts of individuals—not of the Corporation. If they are corrupt, punish them as individuals; but do not disfranchise the Corporation, who, acting through their only legal and constitutional organ—their majority—are found pure and innocent. Other reasons prove the soundness of this doctrine. It is bad enough—unjust enough—to punish a few innocent persons for the crimes of their guilty companions, who exceed them in number; but it is still more unfair to punish the majority for the crimes of the minority. Besides, if this principle were not maintained, the effect would be, to enable two or three persons, by guilty or treacherous conduct, to forfeit the privileges of a large number of innocent persons,—I say two or three, because, who is to say what number is to constitute a minority sufficiently large to usurp the functions of a majority? or, is it to be the majority of the minority, for whose acts the Corporation is to be held responsible? The injustice, the inconvenience, the ridiculous absurdity of this is so evident, that the argument need be pursued no further. If, then, it be admitted, as I think it ought and must be, that a majority of the whole of a Corporation must be proved guilty before its privileges be forfeited, the question is, whether, in this case, a majority has been so affected, and to that I shall now apply myself. But first, I say, that no bribery whatever has been actually proved. All that has been proved is, that packets of money were left at the houses of voters, at the dead of night, by persons whom they did not know, and to whom they could not return them. This, no doubt, was admitted to be the case by many of the voters themselves; but their evidence must be taken as a whole, and not be broken into parts; if we take one portion of their evidence we must take the other, and we shall there find that they also distinctly swear, that they never received these packets in consequence of any bargain, agreement, or compact whatever, direct or indirect—implied or otherwise, either in 1812, 1818, or in 1820. There were 212 voters when these proceedings were commenced, and six who had the rights of freemen, but who had not taken up their freedom, have since been added to the number. There are now thirty apprentices serving their time, who in the course of five years (the probable duration of the next Parliament) will be entitled to their freedom, making altogether a constituent body of about 250; of these there are affected, not by stage-coach and public-house conversation, but by direct testimony, ninety-seven only, out of whom there are twenty who voted for Sir Henry Wright Wilson. I have taken the trouble to analyze the list of voters, and I find that the account stands thus—

Freemen on the Books in	1812	1818	1820	1826	1830	1835
Were	169	181	190	212	218	250
Corrupt	26	88	92	97	97	97
Pure	143	100	98	115	121	153

At each period there is a majority of pure over corrupt. How is the number of ninety-seven produced? Not by proving that they all received money at one election, but by adding together all those who at any election received, although they might not have done so at the preceding or succeeding one. This is shewn by the following analysis:—

Received packets in	1812..1818..1820	24
„ „	1818..1820	58
„ „	1820	10
„ „	1812..1818	2
„ „	1818	3
		97

Thus only twenty-four are proved to have habitually received packets, and the corruption of all mixed up together, only extends over a period of eight years, from the time of Elizabeth, more than 200 years, and ceased with all at the last election, no one act of receipt having been proved, or even insinuated against them; on the contrary, of those who received packets at the election of 1820, twenty voted for Sir H. Wilson in 1826, on political principle, and with the full knowledge of his declaration that he would spend no money. In fairness, therefore, those twenty should be deducted from the ninety-seven, without which however, there is at the present moment a majority of forty-four pure voters over corrupt; the pure being 141; the corrupt 97; Majority 44. In the course of five years thirty more must be added, making —pure, 171; leaving a majority of seventy-four pure. And now let us see how the majorities and minorities stood in the cases of the former Disfranchisement Bills. The contrast will be found very remarkable.

Shoreham.—140 Voters at the last election: of these, 92 bribed; 48 pure; majority of bribed over pure, 44.

Cricklade.—170 Voters at the last election: of these, 160 bribed; 10 pure; majority of bribed over pure, 150.

Aylesbury.—450 Voters at the last election: of these, 350 bribed; 100 pure; majority of bribed over pure, 250.

Grampound.—58 Voters at the last election: of these, 47 bribed; 11 pure; majority of bribed over pure, 36.

I should here observe, that the last election in 1826, is only affected by the evidence of Hornby, Hudson, and Ogilvy. Hudson's evidence is so trifling, that it is not worth mentioning. Hornby has been contradicted, in every instance, by the parties themselves—by the most respectable persons—as to declarations said to have been made in their presence. He has been proved to have been himself the inventor of the expression "All's right," which formed so material a feature of the noble Marquis's speech, and of which invention he made a public boast. His character is such, that three most respectable witnesses declared they would not believe him on his oath. He was proved to have made a will for a man in a lunatic asylum, which was set aside at two successive trials at York by special juries; and he was discharged by his employer for embezzlement of monies committed to his charge. Ogilvy proves nothing, but that he was asked to make a deposit of money in some banker's hands to defray the necessary expenses—a measure always adopted at all contested elections. He also talked of significant nods and shakes of the head, in which he was directly contradicted, and ended his career by bolting from the town, unable to pay an ale-house bill of 70*l.*; and this, my Lords, is all the evidence which touches the last election in 1826. It is so essentially defective, that no reliance can be placed upon it, and I have a right to assume that that election is free from all guilt, whatever it may be contended attaches to former periods. I fear I have somewhat wearied the House by this tedious detail, but it was necessary to make it, in order to show upon what a fallacious foundation the noble Marquis has proceeded. Let me now ask how the case stands as compared with previous bills of this kind; and this is the more necessary, for this Bill establishes a crime which has never yet been held to be criminal, and by evidence unknown to the law of England. In the cases of Shoreham, Cricklade, Aylesbury, and Grampound, this House proceeded on the principle of establishing legal guilt on the part of those to be disfranchised. What was the history of those cases? I read from the printed report of Mr. Alderson's speech—" A remarkable scene of corruption was at this time brought to light by the Select Committee appointed to determine a contested election for the borough of New Shoreham, in the county of Sussex; the matter of contest was, that the returning officer for that borough had returned a candidate with only thirty-seven votes, in prejudice to another who had eighty-seven, of which he had queried seventy-six, and made his return without examining the validity of the votes he had so queried. It appeared from the defence made by the officer, that a majority of the freemen of that borough had formed themselves into a society under the name of the Christian Club, the apparent ends of which institution were to promote acts of charity and benevolence, and to answer such other purposes as were suitable to the import of its name. Under the sanction of piety and religion, and the cover of occasional acts of charity, they profaned that sacred name by making it a veil for carrying on the worst purposes, of making a traffic of their oaths and consciences, and setting their borough to sale to the highest bidder, while the rest of the freemen were deprived of every legal benefit from their votes. The members of this society were bound to secrecy and to each other, by oaths, writings, bonds with large penalties, and all the ties that could strengthen their compact; and carried on this traffic by the means of a select committee, who, under pretence of scruples of conscience, never appeared or voted at any election themselves, but having, notwithstanding, sold the borough and received the stipulated price, they gave directions to the rest how to vote, and by this complicated evasion, the employers and their agents having fully satisfied their consciences, shared the money as soon as the election was over, without any further scruple. The returning officer had belonged to this society, and having taken some disgust to his associates, had quitted their party: the majority of legal voters which he objected to was, he said, in part owing to his experimental knowledge of their corruption, and partly founded upon several improper acts that had come within his knowledge as a Magistrate upon the late election." This, therefore, was a case of allegations proved by the oath of the returning officer, and by other persons at the bar of the House of Commons. In the borough of Shoreham, there was a club which had been established for many years to promote bribery and corruption: it was a club which was conducted by a committee; it was a club, the members of which bound themselves, by oaths and by bonds, to do whatever the committee thought it was incumbent upon them to do. The committee made a previous bargain; they received the money from the candidate; the candidate having paid the money, and the committee having received it, the committee gave directions on the subject to the persons of the club, and they voted according to the decisions and orders of the committee. Why, my Lords, can any man doubt that that was a plain case of gross bribery, aggravated by conspiracy, and that the persons, every one of whom voted under those circumstances, were guilty of bribery, in the ordinary sense of the word bribery, too, at the last election; because it was upon the last election that the event took place which brought the whole to light. A case of a more aggravated description than the case of Shoreham can hardly be found, involving everything that could make it bad; involving a majority of the freemen of the borough; involving the last election; involving bribery; and involving a conspiracy which had been carried on for a long series of years. The next case was Cricklade, where there was also a majority of electors bribed, and that too at the last election. There, also, actual convictions for bribery took place, and the corrupt conduct had been continued for a long period of years. In the case of Aylesbury, in like manner, there was bribery at the last election—bribery of the majority—bribery of long continuance; and though there was no club, there was a regular list of voters, who were all bound, by a common tie, to vote according to the decision of a particular number of persons. In the case of Grampound, Counsel began by laying upon your Lordships' Table a variety of actual convictions for bribery at the last election, and shewed that in the three or four previous elections the majority of voters had, upon every successive election, been bribed. It appears, then, that it was proved in all those cases, that at the election preceding the investigation, a majority of voters had been guilty of bribery, as known to the law of England. Nothing of all this is to be found in the present instance; for bribery, as known to the law, has not been proved to have been committed. It becomes now important for us to consider what, according to the law of England, constitutes bribery; and in order to shew that, I think I cannot do better than quote the words of the Bribery Act, the 2nd of Geo. 2nd, c. 24. Your Lordships are aware that that Act of Parliament was only made in affirmance of common-law. It has always been held to be so, and at this moment any person may be indicted for any act of bribery that he may commit, either under the statute, or common-law. I therefore state this to your Lordships as the exposition of the common-law; it is so described by Lord Mansfield, in the case of the King *v.* Pitt, in the Third Volume of *Barrow's Reports.* What is it, then, that the Act of Parliament points out and defines to constitute bribery? It is the "Asking, receiving, or taking any money or reward by way of gift; or agreeing, or contracting for any money or reward, either to give his vote or to forbear voting in any election;

or by himself or any one employed by him, by any gift or reward, or by any promise, agreement, or security for any gift or reward, corrupting or procuring any person or persons to give their votes," . . and so forth. So that your Lordships see, that in order to bring the parties within this Act of Parliament, and within the scope of the common-law, it is necessary that the person who has the vote should ask, receive, or take money, or money's worth, for the purpose of giving his vote. This, then, it is which constitutes the crime of bribery; and your Lordships will find it distinctly laid down, that money paid after the vote was given, although with reference to the vote given, if given without previous concert, does not amount to the crime of bribery. I say, therefore, that, in this case, it is clear that bribery has not been proved, so that if these parties are disfranchised, it will not be for bribery known to the common-law—defined by the statute-law—and recognised by Courts of law—but on account of corruption, which, although very improper, very repugnant to morality, is yet an offence not known to the common-law, and against the commission of which the Statute-book had given no warning; thus, in fact, will be created an *ex post facto* punishment for an *ex post facto* crime, of which not the majority, but the minority have been guilty. Corruption, then, is the only offence with which these parties can be charged; and what, I pray the House, is the definition of corruption? It is not defined by the laws of England, so that its definition must depend on the habits and feelings of those who consider the subject. In this case it seems, that receiving twenty or forty guineas, as a mark of gratitude, is to be considered as constituting corruption; whilst there is not a county, city, or borough in England, in which, after elections, livings, places in the Excise, Customs, and other gratifications, are not given away by the Member who has command of Ministerial patronage. If that be corruption, it is yet in daily practice. If a Minister, in the distribution of the patronage of the Government, thinks fit to gratify a Peer of this, or a Commoner of the other, House of Parliament with a place for supporting or strengthening the Administration, as it is called, by his vote in Parliament, is it to be styled corruption? If it be, it yet daily takes place. I should like to know what distinction can be drawn between the Peer and Commoner who so receives a place, and the voter who receives twenty or forty guineas? Why is the poor man to be disgraced, dishonoured, and disfranchised on the one hand, whilst on the other, the rich Peer is to be congratulated by all his friends; and, in the language of Scripture, to be proclaimed in the streets, as a "man whom the King delighteth to honour." Now, my Lords, as to the amount of this corruption—suppose that those persons did receive twenty or forty guineas each, and that 3,000*l.* or 4,000*l.* was distributed amongst them, I say it is as a drop of water in the ocean, compared with the sums spent in elections. Mr. Evans himself tells us, that he spent 17,000*l.* at Leicester, and it is pretty well known, that at the last election for Northumberland, 140,000*l.* was spent, not in legal expenses only, but in treating, and other illegal inducements to voting. At my own election in the county of Durham, I had to spend about 30,000*l.*, and a noble friend of mine, a noble Marquis opposite, must have spent a great deal more. At the election for Yorkshire, in 1826, although there was no contest, 100,000*l.* was spent by the four candidates—a fact which was mentioned in the other House of Parliament, by one of the Members. In the election of 1806, for the same county, Lord Milton spent 100,000*l.*; another party 90,000*l.*, and the committee who acted for Mr. Wilberforce, 60,000*l.*; indeed, the expenses of even an uncontested election for Yorkshire are so notorious, that there is at this moment the greatest difficulty to find Members to represent it, and I believe that, except one of the present Members, and a gentleman little known to the freeholders of the county, no other individuals have declared themselves candidates for the expensive honour of representing it. In fact, with the exception of Westminster, there is hardly a place in England where it is not necessary for a candidate, who seriously intends to succeed, to spend a considerable sum of money. Whatever the theory of the representation may be, it has in practice come to this, that, either directly or indirectly, covertly or openly, every man comes into Parliament by a breach of the law. Another consideration arises upon this question. If the corruption of the voter who receives 20*l.* for his single vote deserves punishment, what are you to do with a person who sells, not the individual vote, but the actual representation of boroughs, the actual seats themselves? It is matter of notoriety that the market-price of a seat in the other House of Parliament is 1,200*l.* A noble friend near me tells me that the price has so risen of late that it is 1,800*l.* annually. No person will now pay 7,000*l.*, taking his chance of the Parliament being long or short, but gives his annual sum of 1,800*l.* to be secured in his seat. I know that it used only to be 1,000*l.* a-year; for many years ago a seat was offered to be placed at my disposal at that price. Most of these boroughs, so sold, are the property of Peers of this House, and a valuable property they must be, when we hear that the freehold of the celebrated and notorious borough of Gatton has lately been sold to a noble Lord for 180,000*l.* These, my Lords, are the acts of Peers, of Commoners, of clergymen, who receive a portion of their incomes, and much of their consideration in life, from the sale of seats in Parliament; and I will venture, if you will give me a Bill of Indemnity, such as has extorted the evidence now on our Table, to pledge myself to make these same Peers and Commoners confess every one of these facts. It is upon these grounds that I feel myself entitled to say, that the corruption of East Retford is infinitely less than that of nine cases out of ten. I have alluded to the mode in which the evidence before us was extracted from the witnesses brought to our bar, and I must say, that of all the acts of injustice ever perpetrated, that Indemnity Bill was one of the most flagrant. In all other cases, Bills of Indemnity have been passed for the protection of voluntary witnesses, but this has been used as the instrument of inquisitorial torture, by which confessions were extorted upon oath, from persons in crimination of themselves; compelling them to be accessories to their own disgrace, and to violate all the ties of honour, of gratitude, and confidential intercourse. The injustice, the monstrous injustice of this, was never surpassed even in the Star Chamber or the Spanish Inquisition. But putting aside the justice of the matter, let me call your attention to the manifold inconveniences to which such a course must lead. Under the powers of such a bill, if made applicable to yourselves, you might be made to declare the number of boroughs you held, the number of seats you sell, the number of fictitious votes you can create, the number of qualifications deposited in your solicitor's office, and not given out to your tenants till the day of election;—many of you might be compelled to appear at the bar and disclose these very awkward facts—and you would then, I doubt not, my Lords, exclaim loudly against that cruel injustice and tyranny which, in the case of Mr. Evans and the burgesses of East Retford, has excited so little of your sympathy and indignation. I fear, my Lords, that I have taken up a great deal of your time, and I am aware that the case itself is a very dry one, but I have thought it my duty to enter upon it thus at large, with reference to the mass of evidence that has been brought before us, because I considered that we were acting judicially, and had, therefore, as Judges, a sacred and imperative duty to discharge towards the unfortunate individuals who have been brought to your bar, and who are menaced with the deprivation of their elective rights. My Lords, in this case I cannot permit myself to be influenced by extraneous considerations. I avow that my decided predilection is for a general reform of all boroughs, and for an entire alteration of the representative system, but I cannot let my partialities for reform blind me to the fact, that whilst this borough is brought to the bar to be punished, there are others, infinitely more guilty than it, suffered to escape. The application of the principle of reform is not more necessary to this borough than to one hundred others—for in every part of the United Kingdom a greater corruption, and more illegal inducements to voting are avowedly and notoriously practised. But this, I say again, is a subject foreign to the measure now under consideration. This is a Bill of Pains and Penalties, and we are to decide on the guilt or innocence of the accused. In my conscience I must declare them absolved, because no bribery has been made out—because a minority only have been guilty of corruption, which is no legal offence—and because, that corruption amongst those few began in 1812 and ended in 1820, leaving the last election wholly and entirely untouched. My Lords, on these grounds, and actuated by these motives, I move that this Bill be read a second time this day six months.

The *Lord Chancellor* did not intend to enter into the history of this very dry and uninteresting subject, but he should neglect his duty to their Lordships if he remained altogether silent. Neither was it his intention to travel through the voluminous mass of evidence which had been heard at their Lordships' bar, but he would endeavour shortly to direct their Lordships' attention to what he considered the most material facts, leaving it to them to infer whether the Bill ought to be read a second time or not. So far back as 1790, it was, at least to a certain extent, the practice of the voters of this borough to receive, after every election, from the successful candidate a sum of money, not fixed at the discretion of the candidate, but a precise and market price of twenty guineas for a single vote, and forty guineas for a double vote; that practice was continued in the years 1802, 1806, and 1807. Having stated this shortly, he would not enter into any detail with respect to the elections of those years. The first election to which he wished principally to call attention was that of 1812, when Mr. Osbaldeston and Mr. Marsh were candidates. Eighteen months after that election a meeting took place between Mr. Hannam and Mr. Pickup, the steward of Mr. Osbaldeston, at the Angel Inn. A list of voters was there produced, and Pickup paid money to sixty-four different persons whose names were in the list. All of them did not at that time receive twenty guineas, for some of them had already received advances; but so much was paid to each man as made up to him, with what he had received, that sum. This was proved by Mr. Hannam, and confirmed by Mr. Pickup. Thirty-eight of these voters were now alive, and twenty of them, who had been called to the bar, had confirmed the truth of the statement. This transaction, however, took place eighteen years back, and their Lordships would not think the corruption of that election, even if it had extended to a majority of the existing voters, sufficient to justify the Bill, if transactions of a precisely similar nature had not subsequently taken place. At the election in 1818, Mr. Evans and Mr. Crompton offered themselves as candidates. The former Gentleman was an entire stranger to the place, and knew no one individual in it; but having by accident been introduced to the brother of the town-clerk, and having, in consequence of some conversation in a stage coach, heard something of the borough, he thought he would try his chance. On his arrival at Retford he was introduced to Mr. Thornton, who told him at once what course he must pursue. "You cannot," said he, "succeed without taking a certain course. It has been the practice after each election, for each voter to receive twenty guineas for a single vote, and you will be expected to give it." To another person named Kippax, he was also introduced, who, although not a burgess, made himself very active in the election, and he also told him, that such was the custom of the place. Accordingly Mr. Evans adopted Thornton as his agent; the election went on; there was no contest, Mr. Crompton and Mr. Evans were elected. After the election a communication took place between Mr. Evans and his agent, Thornton, to settle the affairs of the election, in the course of which it appeared that a regular account current was kept, in which so many votes were put down to be paid for by Mr. Thornton, at East Retford; Mr. Warde, another agent of Mr. Evans, having to pay twenty-six London voters. Mr. Evans accordingly sent the money to his agent, in order to settle his accounts. The question arose, then, was there any evidence that these men were paid at all and on account of their votes? In the first place, from eighty to ninety individuals, to whom the money was paid, had been called to the bar, and proved the receipt of it. But it was asked, from what circumstances do you come to the conclusion that the others were paid? from this plain circumstance, he would answer, that if they had not been paid, they would have been clamorous to Mr. Evans for their money; but he was never troubled with any clamours or any demands. Could anybody then entertain a doubt that this money had been applied by Mr. Thornton, for the payment of the votes that had been given to Mr. Evans? With respect to the London voters, it was clear that the money was paid to Warde for them by Mr. Evans, and he never received any complaint that they had not been paid. If they had not, there could not be a doubt but Mr. Evans would have heard of it, for Mr. Thornton says, in one of his letters to him, all must be paid at once, or those who do not receive it in the first instance will be almost ready to tear me to pieces. The facts, then, of the election of 1818, shew that 150 voters in the interest of Mr. Evans, were paid money by Mr. Thornton at East Retford, and twenty-six more of them were paid in London by Mr. Warde. Two years afterwards at the election of 1820, similar circumstances occurred; Mr. Evans and Mr. Crompton were again candidates, again were they successful, and again was the money paid. This was clear by the letters enclosing the notes, and was confirmed by other circumstances. Mr. Evans himself had been called to the bar, and clearly proved those facts; but Mr. Crompton being a Member of the other House, had availed himself of his privilege and refused to attend, and Mr. Foljambe who acted for him, had thought proper to pay a visit to the Continent, in order to avoid being examined at the bar. It appeared, however, by the evidence of two clerks of his bank, that packages of money were made up, and distributed among the voters by a person named William Cottam. It was impossible to have heard this evidence, without drawing the conclusion, that this money was paid for votes which had been given. If their Lordships came to that conclusion, and it was for them, in their capacity of Judges, to form it or not, as seemed just, then what became of the argument stated by his noble friend, who contended that corruption ought to be proved to have existed in the majority of the electors? Why, corruption in the majority had been proved. But then it was contended, that this was no offence; and his noble friend had stated the large sums which he and many other noble Lords had expended in elections. That might be very true, he was aware of the expenses of contested elections; but his noble friend, whose expenditure had been so large, never gave any money, nor promised to give any money to induce electors to vote for him. He must assume, therefore, that the sums expended, large as they appeared, had been spent in a way allowed and sanctioned by the law. Bribery at elections he took to be this: that the parties open to it would not give their votes except to those who would satisfy them that they would, on condition of receiving their support, make them some pecuniary present. By this means, members were returned, not through the free and honest exercise of the elective franchise, but from a base and corrupt motive in the electors. From the evidence which had been laid before their lordships in the present case, they must come to the conclusion that the members for East Retford had, for many years, been returned through no other means than the influence of bribery upon the electors. But, then, it was contended that the species of corruption proved to have existed among the freemen and burgesses of Retford, was not bribery. Whether it were or not he left it to their Lordships to decide from the evidence. The learned Counsel who defended the borough at the bar, cited the case of Hunt and Howell *v.* Gardner, in support of his argument, that the corruption of East Retford could not be termed bribery. That was a case in which the successful candidate gave money to the electors after the election; and that case he admitted the Court of King's Bench decided did not come within the Bribery Act. The judgment of the Court in that case was perfectly correct; but the facts proved were widely different from those which had been established in the present case, In that case, there was no ground upon which an inference could be raised that bribery had taken place; but it was for their Lordships to say, whether the parties in this case, the electors and the elected, had not had such an understanding between them as must lead them to infer that bribery was contemplated on both sides. He knew that that species of evidence which could only lead to a conclusion by inference must ever be esteemed of comparatively little weight with that which is direct and positive. But, in cases of this kind, direct evidence could seldom, if ever, be obtained. Their Lordships must be content, therefore, to decide upon that which was less satisfactory, although in the present case it could leave them exposed to little difficulty. He called on their Lordships to mark the nature of the proof which had been laid before them. From the year 1796 down to 1820, it was distinctly shewn, that the practice of making certain distinct and defined payments existed after every election. A fresh candidate offering himself for the borough, was plainly told of the existing custom. "After the election," said the burgesses, "you will be expected to make these payments to those who support you, and without this you have no chance of success." This, then, being ascertained to be the general rule and practice of the borough, could their Lordships come to any other conclusion than that there had been an understanding between the parties? Was there anybody, after such evidence, who could hesitate for a single moment in drawing the inference that a certain uniform and fixed sum was always given for the vote of the electors? Was it possible that anybody could avoid coming to the conclusion that all this was an understood arrangement between the parties? In such cases the fact of the bribery could not often be proved by direct evidence, it must be inferred from all the circumstances. It was for their Lordships, deciding as Judges and as reasonable men, to say whether the evidence in this case was such as could warrant the conclusion that bribery had been committed. He did not wish their Lordships to draw a hasty conclusion, or to decide upon slight and unsatisfactory proof, but taking the whole of the circumstances of this case into consideration, an inference, he thought, not of mere corruption, but of absolute and continued bribery must be drawn; though not the consequence of an express, but of an implied contract. With their Lordships' permission, he would advert briefly to some of those particular parts of the evidence which he thought afforded an undeniable proof of the existence of actual bribery. Their Lordships would find among the witnesses a person of the name of Kippax. When Mr. Evans offered himself as a candidate for East Retford, this person accompanied him to canvass the electors, and impatient to know whether Mr. Evans was disposed to adopt the usual practice, he nudged him, and said, "Will all be right?" In his examination, the witness was asked what he meant by that expression, and he replied, "I wished to know whether Mr. Evans was a gentleman, and whether he would deceive us or not. I wanted to know whether he would pay the twenty guineas." Mr. Crompton's case was similar, the voters were desirous to have something more specific than a general understanding; they required a direct assurance that the money should be forthcoming. One of the witnesses named Dacre, said "When Mr. Crompton was proposed, I had some conversation with Alderman Cottam, who said, he would take care to have a neighbour, and not one who would Marsh us." Their Lordships might require an explanation of the phrase "Marsh us," and that was thus given by the witness: "A gentleman of the name of Marsh having accumulated a large fortune in the East Indies, returned to England in 1812, and became a candidate for East Retford, when the fame of his wealth procured his return. After the election, however, when the time for the payment of the usual sum of money arrived, it was not forthcoming. This gave rise to much disappointment; and from that time the worthy electors of East Retford determined never again to be 'Marshed.' The witness Dacre went on to say, that in consequence of his conversation with Cottam, he promised to give Mr. Crompton his vote; and, on being asked whiy he gave that promise, he said "because Alderman Cottam was his (Mr. Crompton's) friend; he introduced him, and I knew, therefore, that he must be one of the right sort. I knew that I should have my twenty guineas." This showed their Lordships that, at the time when the electors of East Retford were canvassed, they had the subsequent pecuniary reward in expectation. His noble friend had contended—and at first he thought there was some force in the argument—that all this bribery with respect to the election of 1818 and 1820, did not apply to the subsequent election of 1826, after which no money was received; and, therefore, said his noble friend, this Bill, if it be carried, would differ from every other of its kind, because, in all previous disfranchisement bills the charge had been confirmed at the last election. This argument, at first sight, appeared incontrovertible; but, let their Lordships look more narrowly at the facts. It appeared by the evidence, that the money was never paid to the electors until a certain time after the election had elapsed. How did it happen, then, that it was not paid after the election of 1826? Why for this very plain and good reason: The unsuccessful candidate conscious of the means by which he was defeated, petitioned the House of Commons upon the subject; a Committee was appointed, and the Members who had been returned were unseated. It was not very probable, therefore, that the money would be forthcoming at the usual time of payment. Having thus accounted for the non-payment of the money in 1826, let their Lordships ask themselves one or two questions. Suppose that no hostile proceedings had taken place in that year—that no petition had been presented—no Committee appointed—and that all had gone on as smoothly as in 1820. What then would have been the state of the facts? He did not say, that their Lordships were to find the parties guilty of what they had not done, but of what they meant to do. Looking at former cases, what he would ask, if no interruption had taken place, would have been the course of the parties in 1826? Was it to be presumed that the electors had repented of the illegal practices pursued in previous years, and that they had suddenly resolved, in 1826, to act with purity and honour? Did the evidence which related to the election of 1826 induce their Lordships to draw such an inference? or, on the contrary, did it lead them to think that the same spirit prevailed as formerly, and that the votes of the electors were given with an understanding that the usual sum should be paid for them? Who were the parties who, in 1826, canvassed the borough for Sir Robert Dundas and Mr. Wrightson, the two successful candidates? They were Mr. Foljambe and Colonel Kirk, Mr. Foljambe being the banker from whose bank the payments on all former occasions had been made. A witness named Baker said, "I made an objection to Mr. Foljambe, when he proposed Sir Robert Dundas;" but he replied, "He is a friend, and all shall be right—there is no ground for objection." Again, a witness named Buxton said "I was in a public-house when Sir Robert Dundas was proposed. Mr. Foljambe sat down by me, and said, 'all shall be right,' and upon that assurance I promised Sir Robert my vote." Another witness promised his vote, upon the assurance that "all should be as usual." He alluded to these portions of the evidence in order to show their Lordships what the feeling among the electors was in 1826. Their Lordships must recollect also, that the witnesses by whom this evidence was given, were not volunteer witnesses to disfranchise the borough; on the contrary, they were all witnesses who had an interest in preserving the franchise, and many of them had signed a petition against the Bill. The evidence, therefore, to which he had called their Lordships' attention, so far from having been given voluntarily, was absolutely extorted from the witnesses. From that evidence it was quite obvious that the parties in 1826 were pursuing the same course as on former elections. He had referred only to those who proposed and supported Sir Robert Dundas; but if their Lordships referred to the printed evidence, they would find that the same course of proceedings was adopted with respect to Mr. Wrightson. At a meeting at East Retford, after that gentleman had left the chair, it was taken by a person named Thornton, who, boasting of the situation of his own (the Dundas and Wrightson party) as compared with that of the other, said, "They have neither men nor money—we have both; we have two candidates they have but one; ours have money—theirs have none." At another meeting held at the Swan Inn in London, proceedings of a similar nature took place. A candidate who had no money was rejected, and another who had plenty, and was, on that account, not unappropriately termed an "agreeable man," was put forward with an assurance that by supporting him, the electors would fare well. He called their Lordships' attention to these circumstances, not for the purpose of founding any charge against the candidates, or even the electors, as respected the election of 1826, but merely to show that the parties were in progress to the same consummation as in former years, and that the subsequent payment of the money, the final completion of the course, was only interrupted by the petition to which he had alluded, followed by the proceedings in the House of Commons which led to the rejection of the two Members who had been returned. It had been said, that on a former occasion he had expressed an opinion that their Lordships could not proceed at all in cases of this kind, except where corruption had been proved against the majority of the electors. Certainly he never meant to lay down a rule that a large majority would not be sufficient; but in the case of Penryn, the case alluded to, there not only was no majority, but fourteen of the electors only were convicted of having received bribes. This number compared with the great body of electors, was so exceedingly small, that it did not appear to him a sufficient ground for passing that Bill. In the present case, however, the facts were widely different. The circumstances which had been detailed from the mouths of so many witnesses had fully convinced him that the great majority—that is to say, 140 or 150 out of 200 electors had continually received bribes. This he inferred from the long-continued practice, and from the understanding which had been proved to have existed between the parties, as well at the last as at all the preceding elections since the year 1796. He was satisfied that the case was not one of mere and of slight corruption, but of absolute and continued and wholesale bribery. It was for their Lordships, however, to determine as they should think proper; but he must contend, that if they decided in favour of the Bill, they would not violate any of those principles to which his noble friend had referred. For his own part, he was convinced that money had been received by more persons than had been examined at their Lordships' bar. Upon that question, however, as well as upon the fate of this Bill, their Lordships were to determine, unbiassed by his observations. The case depended principally on inferences to be drawn from indirect evidence, and it was, therefore, incumbent upon their Lordships, to vote according to their own separate and individual convictions. He had declared his without any wish to influence their Lordships' judgment, and was content to leave the case entirely in their hands.

The Earl of *Eldon* wished to assure their Lordships, that it was with great reluctance that he troubled them on that occasion; but having voted against every disfranchisement bill that had been brought into the House since he had the honour of a seat in it, he felt himself bound to say a few words; although it was not his intention to give a vote of a different nature from those which he had given on all similar occasions. He saw no reason for departing from his former line of conduct, with respect to the present measure. On the contrary, he thought that their Lordships would violate all the principles of evidence, if they consented to pass this Bill. He had been absent from the Courts of Common-law, where the nature of evidence was considered and decided upon, for nearly thirty years, but he must protest, that until that moment he never heard such doctrines from a judicial mouth as those which had been delivered that evening. He never before heard it held by any Judge, who ever sat upon the judicial bench in England, that if a system of general corruption had prevailed at antecedent elections, and that, at the last election, a certain number of voters were guilty of corruption, that joining this certain number, admitted to be a minority, with the majority proved to have been corrupt on former occasions, it was to be inferred, that the majority were corrupt on the last occasion: until that evening he had never heard such a doctrine from any judicial mouth in the kingdom, and he was convinced that any Judge in Westminster Hall, sitting to try such allegations as those contained in this Bill, would, upon such evidence as that which had been laid before their Lordships, direct the Jury to find for the defendants, inasmuch as there was no evidence to prove corruption in the majority. The noble and learned Lord upon the Woolsack had told their Lordships, that they were at liberty to infer, from what took place on former elections that the majority of the electors were guilty of corruption in 1826; and that, the noble and learned Lord said, was the law of England. It might be, but it was perfectly new law to him, and he was sorry to hear that it prevailed at present in the country. He could not believe that such was the law; but if it were, he would rather forfeit his existence than be obliged to return to his judicial situation, and to direct a Jury to convict a majority of individuals upon such evidence. That certainly was not the law thirty years ago. But, when the opinions of such men as Lord Mansfield and Lord Thurlow had been set aside in that House, he could not expect that any great deference would be paid to his opinion. If the sentiments of those great men had but little weight with the House, how could he, a far humbler individual, expect that his sentiments would be thought worthy of any attention? Many, however, had been the occasions on which he had thought it his duty to vote against measures of that kind. He had been long enough in Parliament to recollect the case of Stockbridge, in which an attempt, but an unsuccessful one, was made at disfranchisement. On that occasion, he acted upon the principle laid down in the House of Commons, by no less a man than the distinguished Charles Fox. Fighting under his banner he had the satisfaction of obtaining a victory, upon right and legal principles, and the elective franchise of Stockbridge was preserved. He entreated their Lordships to consider what an extraordinary situation the people of this country would be placed in, if such a bill as the present, were allowed to pass into a law. He remembered the period when the House of Commons thought it proper, and the measure appeared to him right, although it was, undoubtedly, a very strong one, to refer all questions relative to the return of Members to Parliament, from their own body to a tribunal constituted of a certain number of individuals, bound by an oath to come to a proper, fair, and unbiassed decision. What, then, was it which an election committee of the House of Commons had to try? The merits of the last election, and of that election alone. They had no right to inquire into the practices of former elections, except so far as those practices were necessarily introduced in evidence in explanation of the circumstances which constituted the matter that they had to try. He must take the liberty to say, that if their Lordships would go to the trouble of looking into what was called the Grenville Act, they would pay no attention to any decision of an election committee of the House of Commons, founded upon practices which prevailed on former occasions. Such a committee had no right whatever to try anything beyond the merits of the last election. What a state then would the country be placed in, if a bill of this kind were allowed to pass. How was a bill for the disfranchisement of a borough first introduced to the attention of Parliament? Through the means of a disappointed candidate, or some dissatisfied elector. Because A B, therefore, who had not been elected, was pleased to quarrel with those who did not elect him—or because the electors of A B, (supposing him to have been elected) choose to quarrel with him, because he did not fulfil some promise, a petition was presented to the House of Commons, a Bill was brought in, and vast numbers of persons were compelled to appear and give evidence, which, if it did not directly criminate them, could not fail to cover them with disgrace. Their Lordships were to consider, whether this was a state in which the law of the land ought to remain. He contended, that if it were proper to apply such a law in any particular instance, their Lordships ought, in justice, to pass a general law, declaring that, in all cases where the majority of electors were proved to be bribed, they should be disfranchised. Upon these grounds—as well as upon those which had been so ably stated by the great men who had gone before him, he could not consent to give his support to the Bill. He would suppose that, in the election of 1820, every voter was bribed; and that, in the election of 1818, every voter was bribed also; still he would say, their Lordships could not, upon any principle of law whatever, disfranchise the electors on that account. It must be proved that the majority were bribed in 1826; but that proof could not be inferred from the practice in 1818 and 1820. He was aware that his authority was worth nothing—that it was worn out; but there was a time when no Judge in Westminster-hall would have left a case to a Jury in the manner that the noble and learned Lord on the Woolsack had left the case to their Lordships. If the doctrine of that noble and learned Lord was right, every one of that majority, on whose corruption the noble and learned Lord asked their Lordships to support this Bill, might to-morrow have an action for bribery brought against him, and be convicted, and criminally punished, as well as disfranchised. He agreed with the doctrine, that from certain circumstances it might be inferred that there had been an antecedent contract, which would constitute bribery; but, because, A, B, and C, had accepted bribes, or had promised their votes in the anticipation of a bribe, or with the understanding that they should receive a bribe, it was not, therefore, to be inferred that the majority of the electors acted from a similar motive. He must say, therefore, although, God knew, he was no reformer of Parliament, that proceedings of that nature would ultimately, if not speedily, lead to it, for he defied any man to say, that it was just to the country at large to disfranchise a borough, and not prosecute those by whose bribery the franchise was forfeited. If their Lordships thought it right, with respect to this particular case, to act upon the doctrine laid down that night, they were bound, in justice to the subjects at large, to take care that Winchester and Shaftesbury should not escape as they had done hitherto; but that one and the same general rule should be applied to all. If they would not venture to do this, they were not justified in passing this Bill, because, when other instances of corruption were known, it was not just to pass a severe measure against one in particular. For his own part, he had never been able to see even the semblance of justice in proceedings of this kind; and having voted against all other measures of the same description, he felt himself bound to oppose the Bill.

Lord *Wynford* observed, that an attempt to commit a misdemeanour was as great an offence as a misdemeanour itself, and an attempt to commit bribery was, therefore, as bad as the actual consummation of the Act. If the preamble of this Bill had been sufficiently established by evidence, it was not necessary for their Lordships to require anything further. After the speeches of the noble Lord at the Table, and of his noble and learned friend on the Woolsack, it would be unnecessary for him to trouble their Lordships with the evidence in support of this Bill. Let him observe, however, that it was in evidence, that from 1796 to 1826 bribery had been practised by the voters of East Retford. Until the year 1812, only a few of the voters had been proved to have taken bribes. The length of time that had elapsed sufficiently accounted for this, and, indeed, made it rather a matter of surprise that so many cases of delinquency had been brought home. These cases proved enough to show, that no election, from 1796 to 1826, had been conducted at East Retford on those fair and pure principles on which all elections ought to be conducted. It was proved that in 1812 no less than sixty-four voters had been bribed. In 1818 not more than 200 voted, and it was in consequence that 150 half bank-notes, of 20*l.* each, were sent down for the voters. From this it was clear, that 150 or more than the majority had received bribes on that occasion. The same observation would apply to the election of 1820. Indeed, it was in evidence, that the voters of East Retford never asked whether a candidate was a Whig or a Tory,—or what his principles were,—but simply whether he was able to deposit 3,500*l.* He contended, that the evidence in support of the Bill was as strong as any evidence, short of direct evidence, could be. With respect to the election of 1826, it was true that there was no evidence of money having been taken by the voters on that occasion, it was equally true, however, that the money was then expected, and that the same corrupt intention existed on the part of the voters as on former elections. When Mr. Ogilvie offered himself as a candidate, in 1826, the only question that was put to him was the old question, "can you deposit 3,500*l.* ?" Mr. Ogilvie retired; but the voters were told by the agents of the Gentlemen who did start, and who were returned, "that all was right"—that "all should be as usual." The proceedings which took place in the House of Commons prevented, as his noble and learned friend had already observed, the consummation of the act of bribery on this occasion. The only point, then, which remained for their consideration was, whether it was likely that corruption would continue in the borough, unless their Lordships purified it by the introduction of new electors. He thought that, from the experience of the past, they had no ground to hope that the electors would be more pure for the future without a measure of this kind. He looked upon the elective franchise as a trust for the benefit of the United Kingdom, and not for any particular town or place; because every Member acted, not for his own constituents only, but for the nation at large. It had been said, that their Lordships were proceeding judicially,—and so they were, inasmuch as they had received evidence, and were acting upon it, but no further; because they were not proceeding to punish the delinquents. As to the opinions of Mr. Fox upon the Shoreham case, they did not apply to the present case. Mr. Fox called the Shoreham bill a nefarious bill, because it took away from men the right of voting, and that, too, without any previous inquiry. It was because this punishment was inflicted without inquiry, and without evidence of delinquency on the part of those who were disfranchised, that the distinguished individual who had been alluded to called the bill a nefarious measure. But was the present anything like the Shoreham case? Certainly not, for here there had been inquiry; it had been proved that a trust held for the benefit of the public had been abused, and their Lordships, therefore, were called upon to purify the borough by the introduction of new electors. Unless their Lordships were prepared to say, that the abuse of such a trust was not an evil, he did not see how they could refuse their assent to the Bill. It was not necessary for him to say what his sentiments upon the subject of parliamentary reform were. No one would say, that too much could be done to preserve the purity of elections; and here was an individual case—a case in which an important trust had been abused, and it was on the ground of that abuse, and on that ground alone, that he gave his vote for the second reading of the Bill.

Earl *Grey* agreed that too much could not be done to preserve the purity of elections, provided that that which was done was done on good and sound principles. The noble and learned Lord had said, it was not necessary for him to say what his sentiments were upon the subject of parliamentary reform: but it was his (Earl Grey's) sentiments on that subject that made him object to their dealing thus with an individual case, when it was notorious that the same practices existed in half the boroughs in the kingdom. He had never advocated parliamentary reform on such principles, and never would. It had been well stated in this debate, as an objection to the present measure, that it had been commenced by a proceeding which violated one of the greatest and most important principles of the law of the land. That proceeding was the Bill of Indemnity, by which they compelled men to appear at their bar, and to state that which at once disgraced them, and rendered them obnoxious to punishment. For willing witnesses he had no objection to such Bills of Indemnity; but to thrust them upon such witnesses as had been dragged to their bar in this proceeding, was to do that which he never would sanction; because it was at variance with the soundest principles of the British law. If such a course were proper—if it became their lordships to adopt it in one case,—why not in all? And if they could adopt it in all,—if they would make it a principle,—let them give him a Bill of Indemnity by which he could compel Members of the other House of Parliament,—aye, and Members of that House also—to appear at their bar, and to answer such questions as he should put to them. Let them do this—let them give him such a Bill of Indemnity—and if he did not disfranchise half the boroughs in the kingdom he would submit to any penalty their Lordships might think proper to impose. Their Lordships, however, would not do this. Let him then know, at least, in what situation they were now placed. Were they sitting there in a judicial character, or were they sitting there as legislators, for the purpose of correcting abuses by legislative measures? If as legislators, why did they not institute an inquiry into the state of the representation of the people generally? If, on the other hand, they were sitting there in a judicial capacity, he put it to the noble Lord (Wynford) opposite, whether they were not bound to have the alleged delinquency proved directly, and distinctly. [*Hear, hear, from Lord Wynford*] The noble Lord seemed to assent to that proposition. What, then, he would ask, became of the noble Lord's distinction about their sitting judicially to inquire, but not to punish? But let them see how this Bill stood in the way of precedent. There was no precedent for it. In the case of Shoreham, it was proved that a majority of the voters had been bribed. In the case of Cricklade, the same was proved, and that, too, at the last election. In the case of Aylesbury it was proved, that 300 out of 400 had been guilty of corrupt practices. By the way, when he recollected what took place in the case of Aylesbury, he could not help expressing his surprise at what had fallen from the noble and learned Lord on the Woolsack in his speech that evening. The case of Aylesbury was one of the strongest possible; yet the bill was opposed in the House of Commons by Sir W. Grant and by Mr. Fox, on those grounds on which he now resisted the Bill before their Lordships. On that occasion, however, there appeared in opposition another gentleman, —a high legal authority, — of whose opinions he was glad to avail himself. He found, by the Parliamentary Reports, that Mr. Serjeant Best objected to the Aylesbury bill, and said, that he saw no reason why Aylesbury in particular should be the subject of such a measure, while it was notorious that the same practices existed in many other boroughs. The noble and learned Lord (Wynford) opposite had doubtless since seen lights which induced him to change his opinion: but, instructed by his former sentiments, he must excuse him (Earl Grey) if he, having had no new lights, continued in the opinion which the noble Lord had formerly expressed. In the case of Grampound, fifty out of sixty of the voters were proved to have been guilty of bribery. In the present case, neither had it been proved that the majority of the electors had taken bribes, nor that bribery had been practised at the last election. He had heard with the greatest surprise the doctrine which had been laid down by the noble Lord (Wynford) opposite, and by the noble Lord on the Woolsack,—namely, that they were to make up by inference that which was wanting in direct evidence. He would contend, that before they could punish, they must have proof, direct, full, and satisfactory. Allow him also to observe with respect to the speech of the noble Lord on the Woolsack, that a speech more savouring of the dexterity of the advocate than of the impartiality of the Judge, he had never before heard in that House. The noble and learned Lord had said, that there was direct proof against ninety-two of the voters. Now ninety-two did not constitute a majority of the electors; and therefore the noble lord said, " True it is, that we have direct proof against ninety-two only; but, with direct proof against so many, can any body doubt that a great number more were guilty?" This, he was ready to admit, might be a good principle to proceed upon in a bill of general regulation: but he was sure that the noble and learned Lord would not venture to say that it ought to be a guide in judicial proceedings which were to end in the infliction of penalties. There was no evidence of any corruption at the last election, except that of Hornby, whose character had been so blasted by subsequent evidence that no reliance could be placed on his testimony. But the noble and learned Lord said, that the time had not come for the payment for the last election; and he asked whether, taking what had occurred at former elections, any one could doubt that such payments would have been made but for what had occurred in the other House? Now he would ask their Lordships, whether such an assumption of facts was a sufficient ground for a Bill of Pains and Penalties? This was a principle so monstrous, that it would be at once scouted in any Court of law, for no Court would for a moment listen to the attempt to supply the place of direct evidence by assumption. The noble Earl concluded by stating that the present Bill was, as had been asserted by the noble Duke, a Bill of Pains and Penalties—a Bill charging delinquency—and he was sure that their Lordships would require that delinquency to be distinctly and completely proved, which, in his opinion, it was not. The crime for which punishment was to be inflicted must be fully made out before they would carry that Bill into effect. He hoped that it would not be read a second time, as he objected to the principle of the Bill; but if it were, he should think that it would be better to give the franchise to some manufacturing town than to the neighbouring hundred. There was, however, no proof of bribery, and he thought their Lordships could not conscientiously carry the Bill into effect.

Lord *Wynford*, in explanation, said, that he had on a former occasion stated the reasons on which he had opposed the Aylesbury bill, and he did not feel it necessary now to repeat them; but from what he saw in the Grampound case, he altered his opinion, for he found the thing was growing into a practice. He regarded the Aylesbury case, and the subsequent case of Grampound, as establishing precedents for the Legislature which it ought to follow.

The Duke of *Wellington* said, that he lamented very much that the Bill had been brought into Parliament: it was not his act, but being there, it was his duty to consider what should be done with it. He admitted that it was a Bill of Pains and Penalties. It charged long-continued and notorious corruption on the electors of East Retford, in electing Representatives to serve in Parliament, and it enacted a penalty as a consequence of the Act stated in the preamble. Before their Lordships voted against the borough, they ought to be convinced that the preamble had been proved. He had attended to the evidence as much as his other avocations would allow, and he must say that, in his opinion, the preamble had been proved. He would not follow the noble and learned Lord on the Woolsack, or the other noble and learned Lord who had spoken, through all the evidence; he would content himself with referring to the proceeding of Mr. Thornton, and the evidence of Mr. Evans, to prove that bribery was common. In every election since 1796—in the elections in 1802, 1806, 1812, and 1818, in his opinion bribery had been proved. The general corruption charged in the preamble of the Bill had been proved, and if the crime was not proved, certainly their Lordships ought to inflict no punishment. There was no noble Lord who attended to the evidence but must have seen that, in every case where the candidate lodged the money usually paid at elections, he succeeded; but that in every case where he failed to do so he lost his election. There was evidence before them that the successful candidate always lodged the money, and that in no case it returned into his pocket, but uniformly went into the pockets of the electors. It was contended on the other side, that the proofs in question did not come down to the last Session; and if true, there was no direct proof of the money having been received at the last election: but could any person doubt, from what passed, from the circumstance of the money having been lodged, that it would have been disposed of in the same manner as former lodgments, but for what had afterwards happened? The question, however, was one of policy and expediency, as well as of right. The House had to consider whether or not they would, in this case, pursue or deviate from the course which they pursued on all similar occasions. It was to be remembered that they disfranchised no one by the present Bill; they merely let in the votes of the adjoining hundred. He owned he was surprised at the course taken by the noble Earl (Grey), who, though he had contended that no sufficient proof was given that a majority of the electors were corrupt, had declared his intention to move at a future stage of the Bill, not that the innocent majority should be held harmless, but that the franchise should be taken away from the innocent and the guilty, and transferred to another place. On the noble Earl's own shewing, this would be unjust, for if he believed there was no evidence of general corruption, he ought not to take away the franchise at all. The noble Duke concluded by repeating that he thought the preamble of the Bill fully proved, and that it should have his support.

Earl *Grey* in explanation said, that looking at the Bill as one of Pains and Penalties, he thought their Lordships were bound to have the most satisfactory evidence before they agreed to it; but the noble Duke, and those who supported the Bill, went on assumptions of what was not proved at all. On this ground he objected to the Bill altogether. But by some strange confusion, the Bill was also looked upon as one of policy and expediency, to improve the Representation; and taking it in that view, he was determined, when they came in the committee to the clause of extension, he should feel it his duty to carry the principle of improvement further, and give the franchise to some large and populous town rather than to the adjoining hundred, which did not require it.

The Marquis of *Salisbury*, in reply, said, that the mode of examination adopted on the Bill was justified by the practice of the House in other similar cases. With respect to the objection that no bribery was proved at the last election, he must say, that in the case of the Grampound disfranchisement bill there was nothing proved against the two Members, and they held their seats during the Parliament, yet the borough was wholly disfranchised.

The House divided: For Lord Durham's Amendment, Content 7; Not Content 29; Majority 22.

Bill read a second time.

ADMINISTRATION OF JUSTICE BILL.] Lord *Durham*, adverting to the Amendments which this Bill had received in the Committee, observed, that it had come from the other House in so imperfect a state, that the Lord Chief Justice of England found it necessary to make an alteration in almost every line of the Bill. He would not say, for he had no means of knowing, from what quarter those imperfections originated; but the fact was so; and he should wish, as so many alterations were made, that their Lordships should have time to consider them.

The report to be received to-morrow.

HOUSE OF LORDS,

Tuesday, July 20.

MINUTES.] Petitions presented. By the Duke of RICHMOND, from the Freeholders of Bedford, for Inquiry into the Means of Relieving the Poor. By the Duke of NORFOLK, from Thomas Flanagan, for the Repeal of the 21st of George 2nd.

SIR JONAH BARRINGTON.] The Earl of Westmoreland presented a Petition from Sir Jonah Barrington, complaining that some parts of the evidence in his case had not been expunged, as their Lordships had directed; and likewise wishing to have Mr. Pineau recalled for further examination.

The *Lord Chancellor* said, that there were one or two verbal errors of this kind, which should be remedied forthwith.

The Duke of *Wellington* could not consent to the recall of Mr. Pineau, after he had been already cross-examined at such great length.

The *Lord Chancellor* then moved their Lordships' concurrence in the Address of the House of Commons to his Majesty, to remove Sir Jonah Barrington from the office of Judge of the Admiralty Court of Ireland, he having been proved guilty of malversation in the exercise of his judicial functions. The accusation was, that he had appropriated to his own use certain monies which were paid into his Court, pending causes therein adjudicating. To prove this grave and serious charge, Mr. Pineau, the Registrar of the Court of Admiralty, had been examined at great length, and although his evidence was not calculated to carry a conclusive conviction to the minds of their Lordships, yet every essential part of the charge was demonstrated by evidence in the hand-writing of Sir Jonah Barrington himself. The noble and learned Lord then referred to the heads of this evidence, and asked the House if they could come to any other conclusion than that of voting this Address to his Majesty for the removal of such a Judge.

The Question was then put, and the motion agreed to *nemine contradicente*.

On the Motion of the Duke of Wellington, a Message was directed to be sent to the House of Commons, announcing that they had agreed to this Address; it was also directed to be presented to his Majesty by the Lord Steward and the Lord Chamberlain.

LIBEL-LAW AMENDMENT.] The Earl of Shaftesbury moved the reading of the Order of the Day, that the House should go into a committee upon the Libel-law Amendment Bill.

The *Lord Chancellor* said, that in moving that their Lordships should go now into this committee, he would shortly state the nature of the Amendments which this Bill was intended to enact. By an Act of the 60th of George 3rd, some alteration was made in the previous Law of Libel. It was provided, that upon the second conviction of any party for a seditious or blasphemous libel, it should be in the discretion of the Court to pass upon the offender a sentence of banishment from the realm for any term of years. This was a material alteration of the law of England, for since the reign of Elizabeth, when such a penalty attached to some particular offences, no such punishment as banishment could be inflicted upon a subject in this part of the realm. The new enactment led at the time to much debate, and those who opposed it had predicted that it would be inoperative. Their prediction had certainly been fulfilled, for during the years which had elapsed since the passing of that bill, the punishment had never been inflicted. This being the case, he was certainly one of those who did not consider they were granting any great boon to the Press in the proposed repeal of the law. As, however, there were many who thought this penalty of banishment ought not to remain on the Statute-book, he for one was happy to be instrumental in assisting to remove it. There was, besides, another alteration which the measure now before their Lordships was intended to accomplish. By another Act passed in the same session of Parliament, it was provided, that every person who should publish a newspaper, or certain other publications, should first enter into a recognizance with two sufficient sureties of 300*l.* in the metropolis, if in the country, the amount was to be 200*l.* The object of this clause was, to guard against the circulation of blasphemous and seditious libels, and to ensure a forthcoming fund, out of which their authors should pay the awarded penalty. It was also provided, that whenever this fund became reduced by any payment of this nature, the full amount should be again made good. In the present Bill it was proposed, that the amount of the recognizance should be increased from 300*l.* to 400*l.* for the metropolis; and from 200*l.* to 300*l.* for the country; and also, that it should be available to answer damages obtained by individuals in any civil action for libel. It not unfrequently happened, (particularly with newspapers), that the real name of the proprietor was concealed, and a person substituted in his place, of no manner of substance; so that, when a private individual was wronged, and had damages awarded, he was unable to obtain this redress, and had besides to pay his own costs. The defects of the present mode of security were the more apparent, when it was considered how highly desirable it was that private—that is, personal—slander should be guarded against and punished. That was the object of the present measure, the committal of which he should conclude by moving.

Lord *Holland* expressed his satisfaction that the noble and learned Lord had accommodated noble Lords by postponing the discussion on the principle of the Bill to the present stage; and he was likewise much satisfied at hearing his sentiments with respect to attacks on the characters of public and private individuals. He could not agree with the noble and learned Lord, that the present measure was not a great boon to the Press. It was an act of justice, and was one which he hailed as testifying the wisdom and expediency of the great principle in jurisprudence which he had ever advocated—that excessive punishments tended to render the law inoperative. He had, when the Statute which the present Bill went to repeal, was in progress through that House, declared that the punishment of banishment for libel was excessive, and unknown to the law of England, but bowed, though not convinced, to the great legal authorities who maintained a contrary doctrine. Since that period he had had the satisfaction of hearing it admitted that he was correct in his statement, for not later than last Session, the noble and learned Lord on the Woolsack had appealed to the Act which he had contended against as an anomaly in the law of England, as the proof that the punishment of banishment was admitted into the Statute-book. There was something inconsistent in the declaration of the noble and learned Lord, that the repeal of that severe penalty of banishment for libel was no great boon to the Press, as compared with that of the hon. and learned Gentleman (the Attorney General) who had introduced the present Bill in the other House. That honorable and learned Gentleman—whose recent conduct presented such a strange contrast to the principles he had at other times advocated --maintained that it was a great concession to the Press, and that as such it was brought forward. Be that as it might, however, he was glad of the repeal, though it was but an act of strict justice. The punishment was instituted, and the Act itself was passed in a period of alarm, and bore all the features of haste and passion, and should have been long since repealed. It appeared that no conviction, nor even prosecution, under this particular clause, had taken place since the Act passed; proving thereby, that punishment which is too severe defeats the purpose for which it was intended. The noble Lord proceeded to say, that he wished that the second part of the Bill—that imposing additional money securities—should stand over till next Session, not with the view of its being again brought forward, but that a thorough revisal of the whole law of libel might be instituted, which would preclude the necessity of such an enactment. The two clauses—that repealing the punishment of banishment, and that imposing the additional money securities—imparted to the present Bill a Janus aspect—one face conciliatory, looking to the past; the other, with frowns and daggers, looking to the future, with a view to additional punishments. For his own part, he could not but object to the proposed increase of securities; and he was at a loss to know upon what principle this was desired. He thanked the noble and learned Lord for the admission which had fallen from his lips, respecting private slander and attacks on public character. Better sentiments never fell from the lips of a statesman, and he trusted, from what the noble and learned Lord had said, there would, ere long, be a complete revision of the law of libel. He was at a loss to know, however, why the sum should be increased with respect to cases of blasphemy and sedition. Had they become more frequent? Some evidence ought to have been offered the House for increasing the amount of the recognizances; something more than the words of the Bill, "that it is expedient" to do so, ought to be furnished. But that was the only reason—if reason it could be called—given for increasing the amount of the recognizances. He concurred in the principle respecting private slander, but objected to the adoption in cases of what were termed blasphemous and seditious libels. He had lived long enough in the political world to know that the phrase had been used for political purposes. With regard to libels of a personal nature, he would be the last to defend them, and he wished that there was a sufficient law for the prevention of such baseness; but he had no hesitation in saying, that the reason why such a law did not exist was from the unphilosophical and unjust confusion of things essentially distinct. Public and private libels were of a different character; they sprung from different motives, and should have different punishments, and be kept separate and distinct in every point of view. This was the reason why he objected to the clause, and it was his intention, in the committee, to move, instead of the last part of it, to repeal all recognizances and securities whatsoever. His motive for doing this would be, to ensure a full consideration of the law of libel, for which, though not himself able to do all that the subject required, he thought the time fitting; and it would be most desirable that the entire question should be taken into consideration, more especially the power of filing *ex-officio* informations, which he wished done away, as well as that monstrous schism in the law which said that a man could be justly punished for the publication of words, which, according to the evidence adduced, he was never cognizant of until after the publication. The whole law of libel should, in his opinion, be revised and restored to the good-humoured basis on which it stood in former days. It should be defined clearly, and all its severe and angry clauses softened down in unison with the improved state of public opinion. This revision and clearly defining the law of libel would appear the more obvious and necessary, when it was recollected that the Bar and the Bench lent themselves too readily to interpret it on the side of power against the liberty of the subject, and when it was recollected from whom the present statutes of libel originated. The whole law of libel, he repeated, should be revised and simplified, and be clearly defined, and no longer dependent on the will or caprice of any law-officer as to its application. That anomaly in law and justice, and, indeed, solecism in morals, that libel should not depend on the intentions of the party, should be expunged from the Statute-book. The law of libel should, he repeated, be clearly defined, for if its interpretation were left to the law authorities, it would be at the expense of the liberty of the subject, and of the interests of free discussion. This was the case with Mr. Fox's celebrated Libel bill, the benefits of which had been actually frittered away by the attempts of the Judges to pare down the latitude of interpretation given by it to Juries. Indeed, all laws affecting the liberty of the subject, and the right of discussion, could not be rendered too clear and independent of the disposition of the law authorities, to which he had alluded. The noble Lord again said, that he considered the clause, imposing additional money securities on newspapers, to be so highly exceptionable, that he should in committee propose its being left out. Though it had been introduced as a kind of mere finance clause, he could not but view it with great jealousy; the rather, when he recalled the conduct pursued towards the Press by the hon. and learned Gentleman who had brought forward the Bill, since his accession to office; and when it was recollected, if he was rightly informed, that the clause was not introduced till after repeated discussions had taken place among the Ministers of the policy of introducing measures of a very harsh nature against the Press. He was sure, from all he had seen, that it had been the intention of those now in power to have had recourse to coercion against the Press, if the effort had not been met at the outset, and hindered. While he thought, however, that it was most unwise to lay further restrictions on the Press, he agreed with the noble and learned Lord as to the necessity and propriety of guarding as much as possible against private slander.

Lord *Wynford* felt himself compelled, in answer to an observation of the noble Baron (Holland) opposite, to deny, on the part of the Bench and the Bar, any wish to unduly interpret the law of libel, to the disadvantage of the subject, to suit the purposes of power. He could not agree with the noble Lord, that Judges and Counsel had frittered away the bill which had been brought into the other House of Parliament by that noble Lord's illustrious relation. He had never known an instance of a prosecution for libel, in which the Judge had not distinctly stated to the Jury the province which, according to that bill, belonged to them. He perfectly agreed with his noble and learned friend, that it was requisite to revise the law of libel. His opinion, however, did not rest exactly on the same grounds, but on the fact that the nature of libel was, by the existing law, so uncertain, that no man ought to be subject, on account of it, to a ruinous punishment. He could not conclude without expressing his utter abhorrence of the libels which had recently appeared in some of the public prints on the first Magistrate of the land; libels, the impurity of which appeared to him to be utterly incompatible with the preservation and well-being of our present form of Government.

The House resolved itself into a Committee.

Lord Holland moved the Amendment which he had mentioned, for doing away with all Recognizances and Securities.

The Amendment was negatived without a division.

Lord *Holland* wished to know, whether, when any person who had entered into recognizances rendered himself liable to pay any fine, he must enter into a new recognizance?

The *Lord Chancellor* said, that when any part of the money for which a publisher had given security was exhausted, the party would be precluded from continuing the publication of his paper until he had made good the deficiency by a new security.

The clauses of the Bill were agreed to.

On the bringing up the Report, Lord Holland again proposed his Amendment, which was again negatived.

His Lordship entered the following Protest against their Lordships not agreeing to his Amendment.

" Dissentient:—

1. " Because, in the words proposed to be omitted, the amount of recognizances, bonds, and sureties required from publishers of newspapers, pamphlets, and papers, by the 60th Geo. 3rd, to secure the payment of fines upon conviction of any seditious or blasphemous libel in the said newspapers, pamphlets, or papers, is considerably raised, and no proof has been adduced, or even offered to the House, that such libels have become more frequent or dangerous, or that the smallness of the recognizances required has, in any one instance, contributed to the commission of the offence or the impunity of the offender; we could not, therefore, consent to increase a restraint on the Press which is odious in itself, and only recently known to our law, upon the bare allegation in the preamble, utterly unsupported by evidence or argument in debate that it was expedient to do so.

2. " Because, by the words proposed to be omitted, the conditions of the new recognizances and bonds are extended to secure the payment of damages and costs to be recovered in actions for libels, as well as the payment of fines upon convictions on informations and indictments; and, although we admit such libels as asperse private character, and are usually the subjects of action for the recovery of damages, to be far more injurious to society than those of a general and public nature (to the prevention of which last the provisions of the Statute of George 3rd, cap. 9, were exclusively directed); yet we question the prudence, necessity, and justice, of confounding, even in preventing measures, offences so distinct in their motives, malignity, and effect, as private calumny and political libel. We were, therefore, more disposed to look for protection against all inconvenience and abuse arising from the present state of the law of libel, to a thorough and well-considered revision of the principles of that law. And we indulged confident hopes that the wisdom of Parliament might, ere long, devise some comprehensive improvement in that branch of our criminal jurisprudence which would afford increased facility of redress to individuals injured by slander and defamation; which would exempt the proprietors of the Press, and the vendors of printed works, from all odious and unnecessary restraints previous to publication or conviction; which would define political libel, and regulate the proceedings and punishments relating thereto; which would check or suppress the practice of informations, and more particularly of *ex officio* informations, against them; and which would correct that anomaly in law, and solecism in language, by which it is still contended that, in matter of libel, there may be guilt without intention; that one man may be criminally responsible for the act of another! and that a bookseller or proprietor may be justly convicted and punished for maliciously printing and publishing words, which it is proved to be physically impossible that he could have read, written, seen, heard, or known of, before their publication.

And 3. " Because the above words were proposed to be omitted with a view of inserting an enactment, that all provisions in the 60th of Geo. 3rd, cap. 9, which require from persons publishing newspapers, pamphlets, or papers, any recognizances, bonds, or sureties whatever, should be repealed; and we were anxious to repeal such provisions, from a persuasion, founded on experience, that they are inefficacious in preventing libels, and from an apprehension that they tend to establish a monopoly injurious to the interests of truth, and to affix a stigma of suspicion on those concerned in the daily Press, which may discourage and deter persons, well qualified by their station, their virtues, and their acquirements, to give a direction to public opinion, from ever engaging in such periodical publications.

(Signed)

" VASSALL HOLLAND.
" KING."

EAST RETFORD DISFRANCHISEMENT BILL.] On the Motion for going into the Committee on the East Retford Disfranchisement Bill,

Lord *Wharncliffe* observed, that, by agreeing to the second reading of the Bill, their Lordships had pronounced judgment on the corruption of the borough of East Retford. The next question, therefore, was, what step ought to be taken to remove the evil. The Bill proposed to open the franchise to the hundred in which the borough was situated. He allowed that, in some of the cases in which a similar course had been pursued, such as Shoreham, Cricklade, and Aylesbury, the result had been to obtain two uncorrupt Members for those places. In the last case, however, of the same kind to which a Legislative Act had been applied, he meant Grampound, a different course had been adopted; the elective franchise had been removed entirely from the borough of Grampound, and given to the county of York. At the time at which that took place, he had highly disapproved of it; and he had succeeded in persuading the House of Commons, of which he was then a Member, to transfer the franchise to Leeds. When the Bill, however, came to their Lordships, they had thought fit to alter it, and to give the two additional Members to the county of York: that bill had since occasioned to the county of York all the evils which had been predicted by those who were opposed to it; and the county was now in such a state, that there were three vacancies in the Representation, for which it was difficult to find candidates. This ought to be a lesson to Parliament how to deal with such cases in future. On the present occasion, he trusted it would be considered wise to act in a different manner, and to take the franchise from East Retford and give it to some great town. He should propose the town of Birmingham. Not that he meant to contend that it had a greater right to the privilege than some other great towns—Manchester, for instance; but because it was a place of great population and wealth. He could not, for the life of him, conceive why the inhabitants of the hundred of Bassetlaw, who were already represented by the Members for the county, were to have this additional privilege conferred upon them. What was there in the locality of that hundred to call for such a step?—Retford was not populous; neither was Worksop; and both were sufficiently represented by the Members for the county of Nottingham. But Birmingham was, as he had already said, a place of great wealth and population; yet it depended for its representation, not on Members of its own choice, but on Members for the county of Warwick. He did not mean to contend for the general principle of communicating the elective franchise to the great towns; but here Parliament had a franchise to dispose of, and the question was, to what place it was expedient to give it? He admitted, that all parts of the country were virtually represented; and that, as the constitution of the House of Commons worked, there was no interest in the country which was not represented. He might be told, that the county of Nottingham having only eight Members two ought not to be taken away. The county of Nottingham was not very large. There would be two Members for Nottingham, two for Newark, and two for the county. It would also be said, that it would not be right to take two Members from the county of Nottingham, because the landed interest was weak at present. Let them look at the Corn Bill; was not that measure contrary to the general opinion of the country; and yet had not the commercial interest found it out of their power to get rid of it? So far, therefore, from the landed interest being weak, it was quite the contrary. But even if the borough of East Retford were opened to the hundred, the Members would belong, not to the landed, but to the monied interest. As, however, during the last half century the mercantile interest had been making so great a progress in the country, why ought it not to make a proportionate progress in the House of Commons? The landed interest would always have the House of Lords as its defenders. Then let the House of Commons have its fair share of the mercantile interest. It should be recollected, that at present it was by boroughs, such as East Retford, that the mercantile interest found its way into Parliament. So, by transferring the franchise from East Retford to Birmingham, all that would be done would be to say, that instead of obtaining two seats in the House in a corrupt way at East Retford, they should obtain two seats in an honest way at Birmingham. Let their Lordships consider the great questions of a commercial character, which would be brought under the consideration of Parliament next Session—the Bank Charter, the East-India Charter, &c. Ought they not rather to give the present franchise to a place from which correct and important information respecting such questions was likely to be derived? When an opportunity such as the present offered itself, to give the elective franchise to a great town was a check to wild notions of extensive Parliamentary Reform. He was far from wishing for sweeping Reform; but he wished that by degrees Members should be admitted into the House of Commons from populous places now unrepresented, in order to defend the interests and state the grievances of those places. Such a proceeding would gradually absorb in the House of Commons, individuals who would be ten times more dangerous if they were totally excluded from Parliament. Of this fact a strong instance existed at the present moment. If Parliament refused to accede to this proposition, could there be any doubt that the effect would be, to increase the cry for reform? Let them recollect the unprecedented number that divided with a noble Lord, in the other House of Parliament, on the Resolutions which that noble Lord lately brought forward on the subject. That fact ought to teach them that in these days they could not stand upon the ancient ground. He was anxious that his Majesty's Government might take the same view of the subject that he did. He had great confidence in the Government, because he thought he saw in it a disposition to attend to the wishes of the country; and he trusted, that whatever might be the fate of this Bill, the next would be treated in a different manner. He would move, that the order of the day be discharged, and the Bill committed on Friday, with a view to move certain Resolutions to the effect; first, that corruption had been proved against the borough of East Retford; secondly, that that borough ought to be excluded from the privilege of representation; thirdly, that the great wealth and population of Birmingham rendered it expedient that the right of electing two burgesses should be transferred from the borough of East Retford to that town; and fourthly, that these Resolutions be communicated to the House of Commons by a conference, and that their concurrence be requested. If their Lordships agreed to those Resolutions, and a bill were brought in, it was his wish, in order to add to the respectability of the constituency, that those burgesses at East Retford who had not been proved corrupt, should have votes at Birmingham.

[At the conclusion of the noble Lord's speech, some delay and much conversation took place, in consequence of the Earl of Jersey having moved the adjournment of the House, that their Lordships might have an opportunity of holding a conference with the Commons, to determine on the day for carrying up the Address requesting the removal of Sir Jonah Barrington from his office of Judge of the Admiralty Court in Ireland. The noble Earl had moved the adjournment of the House without the usual addition of "during pleasure," and the Motion being carried, it was contended by Lord Durham that the debate on the Bill could not then be resumed, and that the Bill was consequently lost. Lord Holland, however, argued on the other hand, that it was a mere irregularity, and that their Lordships had it in their power to resume the discussion immediately on a Motion for that purpose, because no day was named until which the adjournment was to take place. The House, to get out of the difficulty, embraced this view of the question, although if the adjournment was really carried without the addition of the words "during pleasure," it seems generally to be supposed that any conversation even on the subject was irregular.]

The Lord Chancellor put the question, that the debate be resumed.

The Marquis of *Salisbury* then contended, that it would be great injustice to many of the freeholders of the borough of East Retford to agree to the noble Baron's (Wharncliffe's) proposal. He (Lord Salisbury) was anxious not to go a step further than the necessity of the case required. The great object he had in view was, to render the representation pure in all places where they could discover that corruption existed, and to that principle he was resolved to adhere. If they once admitted innovations such as that contained in the proposition of the noble Lord, it was impossible to say that they could stop short of universal suffrage; for of this he was convinced, that although the noble Lord might be satisfied with a moderate Reform, it would not be the case with the great mass of the people of Birmingham. It was by making small concessions like these that they were afterwards called on to make great sacrifices. That was the case with the Roman Catholics, and so it would be with reform. He did not, however, question the principle of this now; he merely mentioned the fact, and, in order to guard against the ultimate consequences which he apprehended, he should vote for the transfer of the franchise to the hundred.

Earl *Dudley* felt so strongly the importance of the favour which they now had it in their power to bestow, that he thought they would throw away an advantage, never to be retrieved, if they failed to avail themselves of the opportunity. He was not one of those who considered how much of representation there was in one county, or what number of places returned Members in another: he looked to the real wants of the people, and to the inconveniences they suffered from the absence of an organ for the expression of their sentiments on any question which affected their interests. No man could deny, that Birmingham and the other large towns were subjected to this inconvenience; that they suffered from the want of a representative capable of advocating their peculiar interests; that they did not enjoy the same privileges, and the same advantages for the expression of their complaints, or for the explanation of their grievances, as Liverpool and Bristol, and the other great towns, which enjoyed the power of sending representatives of their own. No man could deny, that they did not possess the means of communicating with a representative, whose time and attention would be peculiarly devoted to the promotion of their objects in conjunction with those of the whole community. The time was come when it would not be possible to resist the force of public opinion with respect to the necessity of a change. The evil day would arrive, if they did not take measures to avert it, when they would be compelled to give that which they now had it in their power to grant as a favour, and he thought that the most violent anti-reformers should be among the first to adopt the proposition of his noble friend, to transfer the franchise to Birmingham.

Lord *Dacre* said, he was not called on, as he looked at this question, to punish one part of the voters of East Retford, or to preserve as a reward the rights of the other part. He considered himself called on, by the proof of bribery in that borough, to amend the representation; and, being called on, he could not consent to allow any question of vested rights to interfere with the full and strict discharge of the duty which that amendment of the representation imposed on him. On a question of this kind he thought their Lordships were bound to look at the nature of the representative system, and into the manner in which the writs were originally issued by the Crown. He believed there could be no question that, in ancient times, and according to the original principle of the Constitution, every town or borough was entitled to have a writ issued to it, to return Members to serve in Parliament, if its wealth and its importance placed it in a condition to support such a privilege. Now, was there any noble Lord in that House who would venture to rise up and say, that if writs were to be issued as they were in those times, that Birmingham and Leeds, and towns of that description, would be passed over on account of the inferiority of their station, compared with others which enjoyed the privileges they required? The question their Lordships had to consider was, whether or not a town like Birmingham, now that they possessed the power of conferring it without injury to any other place, or even to the general system, should remain unrepresented? If the majority of the electors of Retford had been innocent of the corruption, he might have agreed with the noble Marquis, that it would be sufficient to lay open the right of voting to the hundred; but from the evidence, it appeared to him that a great majority had been habitually guilty of the practice, and he therefore hoped their Lordships would be induced to extend the right, in the manner required by the Resolutions of his noble friend.

Lord *Ellenborough* thought, that the evidence before the House did not justify their depriving those voters of East Retford who had not been proved guilty of corruption, of the fair exercise of their franchise. It appeared plain that many of those voters had, from the corruption which prevailed among the other portion of the voters, not been able to exercise their right for years; and he thought it would be hard to deprive them of that right now, in order to confer it on Birmingham. When, however, a clear case of forfeiture of right could be made out, he should be as ready as any noble

Lord to entertain the question of conveying the right to one of the great manufacturing towns. He looked, at the present moment, to the peculiar circumstances of the case, and he gave his vote to redeem the privilege of those who had not been corrupt as much as to punish those who had been corrupt. He looked at the question not theoretically but practically, and pledging himself to no particular principle with respect to cases of this kind, he thought their Lordships would best supply the deficiency created in the representation by giving the franchise to the hundred, in the manner originally proposed by the Bill.

Viscount *Goderich* was not prepared to say there was no case in which he might not be induced to support a change, such as that proposed in the Bill; but this was not one of them, for the evidence left no doubt on his mind of the existence of general corruption. The noble Baron (Ellenborough) said the quantum of that evidence was not enough; but, in his opinion, it was clearly proved, that a great majority of the voters had been guilty of the practices ascribed to them. It had been said, that the House was bound to regard the vested rights which those who had not forfeited their franchise still possessed in the borough. The House, however, could not recognize such a right. In point of fact, it had repeatedly declared that no such right existed. Had not the Parliament repeatedly taken away this right from one class of freeholders to confer it on another? Had it not at once disfranchised a number of boroughs in Ireland? Had it not afterwards raised the qualifications of freeholders there from 40*s*. to 10*l*.? And were not all these changes as much an invasion of the rights of those who enjoyed the former qualification, as if they had taken away that right altogether? Some noble Lords opposed every plan for giving Representatives to Birmingham, or any other large town, because it would confer an advantage on the manufacturing interest, and would give it a superiority over the agricultural interest. In his view that was incorrect. The two representatives for Birmingham would relieve the two county Members from a great deal of the trouble they now had with that town, and they would save the county Members from any doubt as to their votes on questions concerning the manufacturing interests. He was not a theoretical reformer, but he would give his cordial support to the plan for extending the franchise to Birmingham, conceiving that it would be very advantageous to Birmingham to be represented in Parliament, and to the country in general to have a gradual and practical reform in the representation.

The Marquis of *Bute* opposed the Motion, on the ground that the guilt of the electors had not been so fully proved as to entitle their Lordships to disfranchise them altogether. He thought, therefore, that the franchise should not be extended beyond the hundred.

Lord *Calthorpe* contended, that under the circumstances of Birmingham, the vast wealth collected there, the number of people it contained, and their great intelligence, it was indispensable that that great town should be represented in Parliament. The two members for Warwickshire could not represent the interests of Birmingham. He would like to see the system of representation, now to be formed, which would exclude such a town as Birmingham from being represented in Parliament. The society which had been alluded to as existing in Birmingham, was the consequence of that town wanting representation. A system which gave birth to such societies, and kept them alive, was extremely injurious to order. It produced exasperation; and, if Birmingham were now rejected from the representation, other towns would be sure to feel as the people of Birmingham felt, and form similar societies to obtain that share in the representation which they ought to have. Although bribery might not have been fully proved against the electors of East Retford, their innocence was of that qualified nature, that he thought them quite undeserving of retaining any portion of the elective franchise in their hands, and he gave his support to the plan for transferring it to Birmingham.

The Duke of *Wellington* did not deny that inconvenience might sometimes be felt from Birmingham being unrepresented in Parliament; he must say, however, for himself, that he had never entertained opinions on that subject similar to those of noble Lords opposite. He believed, too, that more inconveniences would result from adopting this measure, than from Birmingham remaining unrepresented. Notwithstanding Birmingham and other towns were not represented, they had grown in wealth and influence in the country. He begged their Lordships to remember the consequences, then, which might ensue to the Constitution of giving to that town and similar towns increased weight in the county. Some noble Lords contended that the franchise was not a vested right, and though that might be strictly correct, yet it could not be denied that to deprive the electors of their franchise was a loss to them. This was done, in some measure, by admitting other electors to share the franchise with those of East Retford. Their Lordships should recollect, that a great many of the electors of the borough were not implicated in these transactions, and their Lordships were not justified in depriving the electors of their franchise to a greater extent than the necessity of the case required. Their Lordships, however, knew from some experience the advantages of measures similar to that of the Bill then before them. He thought that their Lordships could not in justice go further than this Bill went, and it went far enough to provide an adequate remedy for the corruption which had been proved.

Lord *Wharncliffe* briefly replied. He stated, that there were some persons in the country who desired to have a republic, and it was from them, not from the moderate reformer, that he thought danger would arise. He admitted that he had always been an anti-reformer, for he thought, if once a House of Commons was established altogether dependent on the people, as the more zealous reformers wished to have, the House of Lords would soon cease to exist.

Their Lordships divided on the Motion for discharging the Order of the Day:—Contents 16; Not-contents 39—Majority, 23.

Lord Wharncliffe proposed the Resolutions as an Amendment to the Motion for going into the Committee, but they were negatived without a division.

Their Lordships went into a Committee on the Bill, which was reported without Amendments.

ADMINISTRATION OF JUSTICE BILL.] On the Motion that the Amendments of this Bill be reported,

Lord *Durham* said, he thought their Lordships ought not to allow this Bill to proceed any further during this Session. It was a Bill of the greatest importance, and had been subjected to so many Amendments from the Lord Chief Justice of the King's Bench, that he was of opinion their Lordships ought to take time to consider the propriety of its enactments. When it was considered, too, that it taxed the people to the amount of 18,000*l.* a-year, this was another reason for postponing the measure, and giving time for the consideration of it.

The Marquis of *Bute* said, that when the noble Baron stated that this Bill taxed the people to the amount of 18,000*l.* a year, he did not state the case fairly. The Bill suppressed the offices of eight Welsh Judges, and the noble Baron ought in fairness to have stated this, and to have deducted the salaries of the Welsh Judges from the sum of 18,000*l.* But even if this deduction were made, it would still be incorrect to say, that the Bill taxed the people to the amount of the difference, for many of the items of which the sum was composed must cease at no very distant time, and, in the end, this Bill would be a relief instead of a charge to the nation. He knew, from personal experience, that Wales had been for many years anxious for a measure of this kind; and he should be very sorry, therefore, to see it postponed.

The *Lord Chancellor* said, that what the noble Marquis had said was perfectly correct. The permanent charge upon the country would be diminished and not increased by this Bill. He did not feel himself called upon to detain their Lordships on this subject now, because, on the second reading, he had gone fully into the nature of the enactments of the Bill, and into the grounds on which those enactments had been founded. The Bill had been fully canvassed in the presence of the Lord Chief Justice of the Court of King's Bench, of the late Chief Justice of the Court of Common Pleas, and of the noble and learned Earl who had preceded him in the office of Chancellor. Their Lordships, on those occasions, had appeared fully sensible of the merits of the Bill; and the noble Baron (Durham) had made no objection to it then. In the Committee, the Lord Chief Justice of the Court of King's Bench suggested several alterations in the details, but none in the principle of the Bill. He had followed that learned person in the amendments he proposed, and to him, and to the two other noble and learned Lords, to whom he had before alluded, the amendments appeared to be good. Last night he had agreed to the postponement of the Bill until now, because he wished to read the Amendments in print; he had since done so, and he had no hesitation in saying, that the Bill was now in a fit state to be reported to their Lordships. Under these circumstances he protested against the proposal of the noble Baron (Durham), to postpone a measure which was pregnant with advantages to the inferior Courts of this part of the country, as well as to Wales; and which, so far from adding to, would diminish the ultimate charge upon the nation.

Lord *Durham* said, that so far from the noble and learned Earl (Eldon), who had been alluded to, acquiescing in the principle of the Bill, that noble and learned person had said, that all the words after the word "that" ought to be struck out of it, for that it was impossible to reduce the Bill to an unexceptionable shape by means of amendments.

The *Lord Chancellor* did not wish to prolong this discussion, but he could not allow that observation to pass unnoticed. If the noble and learned Earl (Eldon) did entertain those objections to the principle of the Bill, he must say, that the noble and learned Earl ought to have stated them. It was very likely that the noble and learned Earl might have said, in conversation, that which the noble Baron (Durham) attributed to him; but it was quite certain that the noble and learned Earl did not say it to their Lordships. He, therefore, had had no opportunity of combating such objections, and he saw no reason why their Lordships should attend to them, suggested, not by the noble and learned Earl himself, but by the noble Baron, who had happened to hear them.

Amendments reported, and agreed to.

HOUSE OF COMMONS,

Tuesday, July 20.

Minutes.] Returns ordered. On the Motion of Mr. Courtenay, the Amount of Shipping employed between 1821 and 1829:—On the Motion of Mr. Ewart, Expenses incurred by various Turnpike Trusts, and instructions given to Surveyors on the Northern Road.

Petitions presented. By Sir F. Burdett, from certain Inhabitants of London and Westminster, praying for a Free Trade to India, and for a general and serious consideration of our policy towards that country.

[The hon. Baronet expressed his entire concurrence in the prayer of the Petition.]

By Mr. Courtenay, from George Glennie, for the Repeal of part of the Friendly Societies' Acts. By Mr. Fowell Buxton, from certain Christian people of Belfast, for the substitution of Affirmations for Oaths.

Colonial Slavery.] Mr. *Fowell Buxton* presented petitions, praying for the abolition of Slavery in the Colonies, from the Protestant Dissenters of Blackburn, and of Stroud, from the inhabitants of the town and neighbourhood of Frome Selwood, and from the Graduates and Under-graduates of the University of Oxford. It was almost needless for him to say, that he heartily concurred in the prayer of those petitions; and it was gratifying to perceive that the learned and the unlearned united in calling for the speedy abolition of slavery in the West Indies. He regretted that domestic circumstances had prevented him from attending in his place on the evening that the learned member for Knaresborough had called the attention of the House to this subject. The matter had at length come to this, that either the House and the country must take up the question, or they must renounce it altogether; for it was idle to expect that the colonial assemblies would do anything upon the subject. Seven years ago they had been called upon, by Resolutions of that House, to do several things for the amelioration of the condition of the slaves, and since that time they had literally done nothing to that end. He recollected that Mr. Canning, on moving his resolutions at that time as an amendment on his (Mr. F. Buxton's) motion, told the House, that the first step towards the improvement of the negroes was, the abolition altogether of the practice of flogging females. That was the first step which Parliament recommended to the colonial assemblies to take; and had it yet been taken? No such thing? There was not even a man in the Colonial Assembly in Jamaica that had the courage to propose it; but a division took place in that assembly upon the question, whether females should be continued to be flogged, decently or indecently, and it was carried, by almost a majority of two to one, that they should still be flogged indecently. It was also admitted by Mr. Canning on that occasion, that greater facilities should be afforded to the negroes for religious instruction and improvement. Now within the last two hours he (Mr. Buxton) had a statement of a fact communicated to him, which showed the attention which was paid to the religious improvement of the slaves in the West Indies. A negro, who had been guilty of no other crime but that of attending out of the house of his master at prayer, was convicted of that crime, sentenced to be flogged, and was afterwards worked in chains for the offence. It was plain, therefore, that nothing could be done, unless this country took up the question; and now the time had arrived for the electors throughout the kingdom to take it up. If the electors throughout the kingdom thought that slavery was a good thing, that the flogging of naked females should not be prevented, that religious pastors should be confined in gaol for no other offence but that of preaching the Gospel, and that it was right to sentence a negro to punishment, for the crime of attending prayers out of his master's house,—if the electors throughout the kingdom thought all those things right and proper, then let them vote for those who would support such a system; but if they did not think so, then they would send Representatives to that House, pledged to do their utmost, both by their voices and their votes, to put an end to such an abominable system.

Sir *A. Grant* said, it would hardly be fair to let the observations of the hon. Member pass without remark. The hon. Member had called on the people to take this subject into their own hands, and not to return Gentlemen connected with the West-India interest. He (Sir A. Grant) was connected with that interest, and he could assure the House, that the hon. Member was not more anxious than himself to see this question properly settled, and that there were no practical means of settling it, in which, as a West-India proprietor, he would not heartily join. But he must complain of the hon. Member for adverting, in the unfair manner used by him, and by others who advocated the same opinions, to those who were connected with the West-India interest, whenever this painful subject was either directly or indirectly brought under the notice of the House. The hon. Member had (he would not say intentionally) misrepresented what had taken place in that House seven years since. He (Sir A. Grant) had a lively recollection of it, and he hoped the House would allow him to remind it of, as he was sure the country would bear in mind, what was done then. The hon. Member at that time came forward with a sweeping notice, which, previous to its agitation in that House, gave rise to great discussion among those whose interests were concerned. On that occasion, the late Mr. Canning, after lamenting the state of slavery which, up to that time, had been in existence, put it as a question to the West-India proprietors, how far they could go, with safety to themselves, on the great question of the amelioration of the condition of the slaves? There were certain gentlemen connected with the West-India interest, who took that question into consideration, and who said it was impossible for them to go to the length of the Resolutions which were prepared by the hon. Member; but they stated that they were ready to go the length of the Resolutions which Mr. Canning was prepared to propose, and which, when proposed, were unanimously adopted by the House, in opposition to the Resolutions of the hon. Member. He called on the House and the country to recollect what these Resolutions were. They did not do what the hon. Member seemed to suppose—they did not pledge the House to any direct measure on the subject of emancipation, but they were framed in these terms:—"That it is expedient to adopt effectual and decisive measures for ameliorating the condition of the slave-population in his Majesty's colonies. That through a determined and persevering, but at the same time judicious and temperate enforcement of such measures, this House looks forward to a progressive improvement in the character of the slave-population, such as may prepare them for a participation in those civil rights and privileges which are enjoyed by other classes of his Majesty's subjects. That this House is anxious for the accomplishment of this purpose, at the earliest period that shall be compatible with the well-being of the slaves themselves, with the safety of the colonies, and with a fair and equitable consideration of the interests of private property." He was taken quite unprepared on this subject; but he believed this to be the effect of those resolutions. The last too, was a most important condition, which the hon. Member carefully avoided even adverting to, and which was equally lost sight of by others who supported his view of the question. He would beg leave to repeat that condition, and to call the attention of the House to the fact, that it had been passed by the unanimous vote of that House. That condition was, that the improvement of the slaves was only to be promoted as it was compatible with the safety of the colonists, and with a fair and equitable consideration of the interests of private property. That was the unanimous resolution adopted by the House against those proposed by the hon. Member, in which no such point was contained; and when the hon. Member called on the House to recollect what took place seven years since, he (Sir A. Grant) called on it not to forget that most important part of the proceedings.

Mr. *Fowell Buxton* could not avoid taking notice of what had fallen from the hon. Member. The hon. Member charged him with forgetting the Resolution of the House, and seemed himself to forget one of the Resolutions they agreed to, which was in substance, that "Such measures should be adopted as should ensure to the negro the same participation in civil rights and privileges as were enjoyed by other subjects of this country." That showed that the House went further than the hon. Member imagined, and looked forward to the final emancipation of those unhappy persons. The hon. Member was wrong in accusing him of forgetting compensation, for one of his resolutions alluded to that subject; and he hardly ever addressed the House on this matter without stating, that though the planters had no claims as against the negro, they had as against this country; and that, in restoring the rights of the negro, care should be taken not to throw too much of the burthen on only one of the guilty parties.

Sir *A. Grant* spoke the opinion of the whole West-India interest, when he said that they adopted the words used in an Address to his late Majesty, namely, that "If private property was wanted for public purposes, let the public acquire it, and deal with it as they liked." If that on which the planters' existence depended—on which they relied for maintaining their sphere in society—was required for public improvement, in the name of God let the property be acquired by the public. For himself, he should be contented with a small portion of that which he had been brought up to think he was entitled to. He should be glad that his hands should be washed of it, since he and other proprietors were thus to be attacked.

The Petitions were laid on the Table.

Mr. *Otway Cave*, in presenting a petition from Dr. Thomas Edwards upon the same subject, strongly deprecated giving any compensation to the slave proprietors; it was similar, in his opinion, to rewarding robbers and receivers of stolen goods. Slavery had not been recognised, as stated by an hon. Member (Mr. H. Twiss) on a previous occasion, by any legislative Act of the Government of this country, nor could it be tolerated, under any circumstances, that man should be the property of man.

On the Motion that the Petition lie on the Table,

Mr. *W. Smith* considered, as the property was bad in itself, the owners of it were not deserving of any compensation for its loss. He recollected that the Liverpool traders in slaves, when the law properly did away with that infamous traffic, called for a compensation for their losses in trade. Yet the Legislature had since pronounced that trade of robbery and murder piracy. In calling it piracy, he thought the crime was dignified by its title, for it was nothing less than murder, and that of the most horrible description. He thought the planters had a claim on the labour of their slaves, but that was all.

Mr. *H. Twiss* repeated what he had stated on a former evening, that though slavery was not created by any express statute or enactment, yet that it had been repeatedly recognized, both by Acts of the British Parliament, and of the Colonial Assemblies, which left it impossible to doubt that slavery was recognized by the law of the land; and he further repeated, that it had been frequently recognized as lawful by the highest tribunals in the country.

Mr. Otway Cave moved that the petition be printed.

Sir *Robert Peel* objected to the Motion. The House ought not to encourage printing the petitions of individuals.

Mr. *Bankes* opposed the printing of the petition, on the ground that it contained the private sentiments of an individual, which had already been before the public on several occasions.

Mr. *Manning* opposed the petition being printed, and bore testimony to improvement, proceeding rapidly at the present time, in the condition of the slave-population. He could speak more particularly of Grenada, from his close connection with that colony. He wished to know why the colonies should not be represented as well as any other part of the community?

Lord *Howick* did not approve of the attack which had been made upon petitioning. He thought that the most constitutional manner in which opinions could be enforced was, by bringing them before Parliament.

Sir *Robert Peel* said, that what he had stated was, that he did not think it expedient to encourage the presentation of individual petitions, merely delivering the opinions of individuals on matters of public moment.

Motion withdrawn.

Lord *Morpeth*, in presenting a similar Petition from the Independents of Salem Chapel, Leeds, expressed his regret that the question of slavery, instead of being the last, had not been the first object of the attention of the Legislature.

Mr. *Labouchere* called the attention of Government to the subject of establishments for the prevention of the slave-trade. His attention had been drawn to the matter from having been a member of the committee. He was convinced that the present system was no check to the slave-trade; on the contrary, that it tended greatly to aggravate all the horrors of the traffic. Without attaining its object, it was the means of destroying numbers of our fellow subjects. He hoped the time had come when France would see the necessity of wiping away that stain on her national character which was caused by her connivance at the slave-trade, and which all the trophies of Algiers could never obliterate. It would be a satisfaction to receive an assurance from his Majesty's Government that the whole system of the slave-strade would engage its attention.

Sir *George Murray* said, that the measures now pursued on the coast of Africa were founded on treaties entered into from motives of humanity. It might be necessary that they should be re-considered; but hon. Gentlemen must feel, that to depart at once from a Treaty solemnly entered into could not be done, and therefore it ought not to be expected that any pledge should be given by Government upon the subject.

Petition was laid on the Table.

PUNISHMENT OF DEATH FOR FORGERY.] Sir *Robert Peel* rose to move that the amendments made by the Lords, in the Forgery Laws Amendment Bill, should be taken into consideration by the House, for the purpose of acceding to them. In making that motion it would not be necessary for him to enter into any lengthened discussion. The House were aware that the amendments of the Lords placed the Bill in a shape adverse to the opinions expressed by the majority of the House. Still, under the peculiar circumstances of the case, he trusted that the Members would not feel a difficulty in acceding to those amendments. They would not, by acceding to them, at all affect or compromise their own opinions. The effect of rejecting the amendments would be, to leave the law in a state of greater severity than it would be in by the House acceding to the amendments. As, therefore, by rejecting the amendments, the House would make the law of greater severity, he thought the House would not in the slightest degree relinquish its own opinion by not adopting that course. He need not say, that the amendments were in accordance with his own views. He trusted that the House would accede to them without delay. On a former evening he had most readily yielded to the wish of an hon. and learned Gentleman, that the further consideration should be postponed for a day or two. The effect of such postponement had been, that as the Bill now stood, it would come into operation tomorrow, July twenty-first. Under these circumstances, it was of great importance that the Bill should pass, if it was to become a law, at as early a period as possible.

Mr. *C. W. Wynn* felt that, in the present state of the House, and at this period of the Session, it would be useless to offer any opposition to the Motion. At the same time he thought that the House was entitled to complain of the course adopted by the other House of Parliament. He could not suppose that it had been the intention to delay sending down the amendments till a time when most of the Members of the House had left Town; but he must say, that the course adopted with respect to the Bill had been most extraordinary. The Bill was sent to the other House on the 9th June. It went through its regular stages by the 1st July; but was not returned to this House till the 13th July. Why this delay should have taken place, in returning the Bill to the House, he could not imagine. He supposed the House must submit to the amendments of the Peers; but he trusted that this subject would not be allowed to sleep; that the opinion of the House of Commons supported by the people at large, would be ultimately triumphant.

Mr. *Robinson* rose to express the regret which he felt, in common with other Members, that these amendments should have been made by their Lordships. He would rather have the Bill rejected than passed in its present shape; for if it were passed now, the question would come before Parliament in another Session under great disadvantages. He should have given great weight to the opinions of the three noble and learned personages who had supported those amendments in the other House of Parliament, had he not seen opposed to their opinions a weight of petitions which completely over-balanced them. He really hoped that some hon. Member would propose to reject the Bill altogether.

Mr. *John Stewart* was disposed to reject the Bill altogether, rather than pass it with these amendments. If they adopted the Bill as it had been amended by the Lords, it would be a virtual relinquishment of the opinion already expressed by that House; whilst by rejecting it, they would thereby force the subject upon the consideration of the next Parliament, at the earliest practicable period after it assembled. He scarcely thought that any Secretary of State would, in the interim, venture to recommend the infliction of capital punishment for forgery, after the opinion which had been so decidedly expressed against it by a large majority of that House; and an early revision of the law, as it could not be carried into effect, would therefore become indispensable. On these grounds he should oppose the Lords' amendments.

Sir *R. Wilson* thought, that as the Bill, even as it now stood, secured some advantages, it ought not to be rejected, merely because it did not secure all the advantages which those who sought for the mitigation of the penal code had in view.

Mr. *F. Buxton* felt, that it might be most desirable to reject the Bill altogether; but as such rejection would only create delay, and as the behaviour of the Home Secretary had been distinguished by great frankness and candour, he could not agree to a proposition for rejecting it. There was one amendment which he should wish to add to those made by the Lords,—and that was, that the duration of this Bill should be limited to one year. That would compel the Government to introduce another Bill to the House next Session, more consonant to the humane views so generally adopted by their constituency throughout the whole country.

The Amendments were then ordered to be taken into consideration. On the question, that they be now read a first time,

Mr. *Labouchere* took the opportunity of saying, that he supported the view of this subject which had been taken by the hon. member for Weymouth.

Lord *Howick* censured the Ministry for the conduct which they had pursued regarding this Bill. It was said at the outset, that this Bill was not to be considered as a party question; and yet he knew that Treasury notes had been issued to obtain the votes of the supporters of Government in its favour. Notwithstanding the influence thus exerted by Government to carry its own Bill through the House, a majority of independent Members appeared in favour of abolishing the punishment of death in cases of forgery. After such a declaration of public opinion, he thought that the Government ought not to have allowed the Bill to be altered back to its former shape in the House of Lords. He trusted that the amendment proposed by the hon. member for Weymouth would obtain the support of the House.

Sir *Robert Peel* attributed the apparent delay in sending the Bill back from the Lords, to which the right hon. Gentleman (Mr. C. W. Wynn) had adverted, to the unfortunate demise of his late Majesty. The Bill, in its present shape, was decidedly an improvement on the old law, not only because it simplified and consolidated it, but also because it repealed the penalty of death in all cases of forgery upon the Stamp-office. He trusted, that the House would not concur in the amendment proposed by the hon. member for Weymouth. If the duration of the Bill were limited, as he advised, in what a situation would it place those who were intrusted with the duty of superintending the due administration of the law? To that amendment he should offer his decided opposition. As to the observation, that no Secretary of State would ever be found to advise the infliction of capital punishment in those cases of forgery in which the House had declared that the punishment of death ought to be abolished, he had only to remark, that he (Sir R. Peel) would always give the Crown such advice, with regard to the execution of the law of the land, as he thought the interests of justice required, without reference to what might, or might not be the opinion of the majority of the House of Commons respecting it.

Dr. *Phillimore*, reinforced the observations of his right hon. friend, the member for Montgomeryshire, and protested against the conduct which the Peers had pursued with respect to these amendments.

Mr. *Lennard* thought, that the Bill as it now stood was a mitigation of the existing law, although it was not exactly that degree of mitigation which the circumstances of the case required. Besides, he was of opinion, that passing the Bill this Session, would not prejudice the great question in the next Session.

Mr. John Stewart moved, that the Amendments be read this day fortnight.

The House divided: For Mr. Stewart's Amendment, Ayes 10; Noes 74—Majority 64.

List of the Minority.

Buxton, T. F.
Cavendish, Lord G.
Cavendish, H.
Cavendish, C.
Dawson, A.
Kemp, T.
Pendarvis, E.
Protheroe, E.
Trant, W. H.

TELLERS.

Stewart, J.
Robinson, G. R.

On the question, that this House do agree to the first Amendment,

The House again divided: Ayes 67; Noes 28—Majority 39.—The Amendments of the Lords were Agreed to.

List of the Minority.

Baring, F.
Buxton, T. F.
Cavendish, Lord G.
Cavendish, H.
Cavendish, C.
Clifton, Lord
Colborne, N. R.
Davenport, E.
Dawson, A.
Ewart, W.
Ellis, G. A.
Ferguson, Sir R.
Howick, Lord
Kemp, T. R.
Labouchere, H.
Lennard, T. B.
Protheroe, E.
Pendarvis, E.
Phillimore, Dr.
Pallmer, C. N.
Ponsonby, G.
Shelley, Sir J.
Trant, W. H.
Vyvyan, Sir R.
Warburton, H.
Western, C. C.
Wynn, Sir W.
Wynn, C. W.

TELLERS.

Robinson, G. R.
Stewart, J.

SIR JONAH BARRINGTON.] A Message was brought down from the Lords, saying that their Lordships had agreed to the Address to his Majesty, communicated by the Commons to the Lords on May 25th. At the same time a Message was brought down from the Lords, acquainting the House that his Majesty had been graciously pleased to appoint Thursday next, at two o'clock, to receive the Address of both Houses of Parliament; and that their Lordships had directed the Lord Steward and the Lord Chamberlain to attend for the purpose of presenting the said Address on the part of the Lords, and their Lordships desired the Commons to appoint some portion of their Members to accompany the Lord Steward and the Lord Chamberlain on their part.

The Chancellor of the Exchequer moved, that Lord F. L. Gower, Sir H. Hardinge, Sir G. Warrender, and Sir A. Grant, go with the Lords on Thursday, for the purpose of attending his Majesty with the Address.—Agreed to.

HOUSE OF LORDS,

Wednesday, July 21.

MINUTES.] The Administration of Justice Bill and the Libel-law Amendment Bill, were read a third time and passed.

Lord TEYNHAM presented a Petition from the Society for the Encouragement of Industry, of the King's Head in the Poultry, praying that the system of Poor-laws might be introduced into Ireland.

EAST RETFORD DISFRANCHISEMENT BILL.] The Earl of Shaftesbury moved that this Bill be read a third time.

Lord *Durham* took the last opportunity to protest against the Bill. He thought it was contrary to all sound principle, and though he would not divide the House on it, he could not even allow that opportunity to pass without expressing his dissent in the strongest manner. He would propose to subsitute for the word "now" the words "this day six months."

The Earl of *Westmorland* said, having voted against the Bill, it was due to those he differed from as well as those with whom he agreed, to state his opinion, but in the then state of the House, and not being willing to observe on the arguments of persons absent, he should content himself with making his short objections, like the noble Lord who preceded him. He was sorry to differ from those he usually acted with, and was convinced if they saw the object in the unconstitutional view he did, they would oppose it also. It was no question of policy, no question of government, but the fear of its being made so in future times, under Governments of a different character, was the main reason of his dissent for the tendency of the Bill was to place the representation of the House of Commons in the entire power of a majority in that House, and at the back of the Government. This was no act of reform, but an act of pains and penalties, affecting the rights and functions of a description of subjects, upon a charge of offence, of which they were to show whether they were innocent or guilty,—those rights in which they were protected by the laws of the land, except forfeited by some proved crime. It was an act of arbitrary authority of the executive power of the State, whether that executive was a single person or King, Lords, and Commons, interfering with the law of the land, which interference ought only to be resorted to on pressing and urgent grounds. When such cases arose as Shoreham and others, why men might admit the propriety of some such interference with the Constitution, but this case was quite novel in its grounds. It proceeded without any positive charge of crime, and the alleged offence was not proved, but stated upon inference (but he was getting into the argument, which he would not in the absence of the inferers), not for crimes lately committed, not even charged, but offences in 1812, 1818, 1820, there not being an iota of charge since. Now this Act begun in breach of the law was continued with the same illegality; and failed in proving any crime, though the evidence was extorted upon the principle of the Inquisition. This proceeding began in 1827, by report of a Select Committee, that committee was sworn to try only the last election, and had nothing to do with the previous proceedings, except as they affected the last election. The question laid dormant in the House during party quarrels. For three years the House of Lords never heard of it. The representation was suspended, and writs stopped by the House of Commons in breach of the Constitution and of the two Unions. In the 15th of King George 3rd, in the Shaftesbury case a clause was put into an Act of Parliament to enable the Speaker to withhold the writs to Shaftesbury during the recess; and this without any argument, shewed what was the opinion of King, Lords, and Commons at that time. The mode of trial still more arbitrary for this free country—was that men should be compelled to criminate themselves under the dread of punishment. No man was more sensible of the utility of strong laws, but in this case there was no necessity for them. And look at the state in which this stood in the eyes of the public. We pass a law almost of torture for the rest of the community and exempt ourselves. A Member of Parliament might conceal his own misconduct,—Mr. Evans was compelled to tell his most secret transactions, and Mr. Crompton set their Lordships at defiance. Then, next, the principle is one that no government ever acted upon—arbitrary governments do cruel acts of severity against their enemies, perhaps on the innocent, on charges for pretexts of criminality; but what was the principle here? Punishment; not of the accused for any crime, but of innocent persons—not for any act of theirs, but for offences of other men, a majority, not only of unconvicted, but uncharged electors being punished. The time likewise was equally objectionable. By the statute law of the land, no action can lie against bribery beyond two years; and he believed none had been attempted at common law. The offences under the Bill, however were charged in 1812, 1818, and in 1820, so that innocent men were to be deprived of their franchises for offences alleged against others, of which the law would not take cognizance. In entering his protest against the Bill he could only hope that this precedent would not be followed by similar acts, nor lead to further innovations on the franchises of the country. What he asked for was, that the franchises of the people might be defended by the laws of the land, and not invaded upon inference for unknown crimes.

Bill read a third time and passed.

HOUSE OF LORDS,

Thursday, July 22.

Minutes.] Lord Grantley took the usual Oaths.

[The Duke of Buckingham, as Lord Steward, and the Earl of Jersey, as Lord Chamberlain, reported the King's Answer to the Address of the House, praying the Removal of Sir Jonah Barrington from his office of Judge of the Admiralty Court of Ireland. His Majesty's answer was—"I cannot but regret the circumstances which have led to this Address. I will give directions that Sir Jonah Barrington be removed from the office which he holds of Judge of the High Court of Admiralty in Ireland."]

The Exchequer Bills Bill, the References to Acts Mistakes Bill, and the Warehoused Sugar Bill, were read a third time and passed.

Earl Grey presented a Petition from the Congregation of Salem Chapel, Leeds, for the abolition of Slavery.

HOUSE OF COMMONS,

Thursday, July 22.

MINUTES.] Lord F. L. GOWER laid on the Table his Majesty's Answer to the Address of the two Houses of Parliament, relative to the Removal of Sir Jonah Barrington from the situation of Judge of the High Court of Admiralty in Ireland. [For this document see the Lords Minutes of this Day.] His Majesty's Answer was ordered to be entered on the Journals.

Returns ordered. On the Motion of Mr. WARD, the quantity of Cotton imported from America, from January 1, 1829 to January 1, 1830; the quantity of Deals imported from Norway in the same period; the number of Ships belonging to the Port of London, which have been mortgaged since 1826:—On the Motion of Lord J. RUSSELL, the whole Amount of the Expense incurred by the proceedings on the East Retford Bill, during the present Session.

FEES ON PRIVATE BILLS.] The *Speaker* said, that the House would perhaps permit him on this occasion, as he did not know whether any other would occur previously to the next Session of Parliament, to remind it of certain Papers which had been laid on the Table on the 8th of last March, for the purpose of regulating the Fees taken by the Clerks of the House in the Private Bill-office. He had looked through those fees, item by item, with great attention, and after he had considered what was due, not only to the interests of individuals presenting petitions for private bills, but also to the interests of the Officers of the House, he had drawn up a schedule of fees, which, on his proposal, had been printed and laid upon the Table. It was to have been taken into consideration a few days ago; but the consideration of it had been postponed in consequence of the hon. member for Aberdeen having stated, that he had a petition to present, complaining of the manner of conducting private business in that House. That petition had been now presented. It stood quite clear of the subject of these fees, as it merely called upon the House to make a change in the constitution of its committees. It was quite clear that any proposal for making such a change must stand over to another Session; and it was equally clear that it could not be agreed to without considerable discussion and deliberation. The papers which he had laid upon the Table were intended to ascertain the amount of fees to be paid on every private bill, and to ensure regularity in the progress of private business, and in the demands of those Officers of the House who had any connexion with it. Upon the aggregate, the fees would not be greater than those taken at present. As the papers had been so long upon the Table without any hon. Member having made any objection to them, he trusted that some hon. Member would move, that the House do now agree to them, in order that the House and all parties interested might know the amount of fees which would be enacted next Session.

The Chancellor of the Exchequer moved, that these papers be now taken into consideration.

The *Speaker* said, that he was anxious that the House should bear in mind, that this schedule would not increase the expense of carrying a private bill through Parliament; on the contrary, it would be found that in general it diminished the fees now levied. At any rate, it would enable parties, previous to their application to Parliament, to know the full amount of the fees which they would have to pay in carrying a bill through that House.

The papers were taken into consideration. Resolutions, declaring the fees contained in them, to be the regular fees of the House, were agreed to, and ordered to be enrolled among the Standing Orders.

The *Speaker* said, that the next point to which he wished to call the attention of the House, was the difference which existed in the time allowed to intervene between the first and second readings of bills according as they came from England and Scotland, or from Ireland. In the case of English and Scotch bills, the interval was three, and in the case of bills affecting docks, seven days; in the case of Irish bills the interval was always twenty-one days. Owing to the rapidity with which communication now took place between England and Ireland, there was no reason why this interval should be so long. He should therefore propose to discharge the Standing Order which gave this greater interval to Ireland.

Standing Order discharged accordingly.

The *Speaker* said, that the next alteration which he had to propose, related to Turnpike-bills. By the Standing Order it was provided, that in all cases where application was made to Parliament for a Turnpike-bill, there should be previously deposited in the Office of the Clerk of the Peace a map of the district, which the intended line of road was to traverse, "on the scale of not more than five inches, and not less than three inches to a mile." In consequence of this regulation, some Clerks of the Peace had doubted whether they could receive maps which were on the scale of six or six-and-a-half inches to the mile. Now, though it might be desirable to fix a *minimum* in such cases, it was quite unnecessary to fix a *maximum*, especially as the increased size of the map was calculated to render the matter in dispute more clear and intelligible. Besides, the map must be drawn up at the expense of the parties interested; and it was clearly their interest to incur as little expense as the law would allow them in drawing it up. He proposed to strike out of the Order the words "not more than five inches, and"—thus leaving the *minimum* at three inches to a mile.

A proposition to that effect was carried unanimously.

The *Speaker* said, that the last proposition which he had to make to the House related to the Standing Order-book, which was then in the hands of the clerk. He proposed to have the Standing Orders properly arranged and reprinted; and he thought, that if the House would allow it, he could promise that it should be ready for hon. Members at the commencement of the next Session of Parliament.

Proposition also acceded to.

ADMINISTRATION OF JUSTICE BILL.] The *Attorney-General*, in moving that the Amendments made by the Lords to this Bill should be taken into consideration, said, that he would take that opportunity of setting aside a misapprehension, which had been very extensively circulated, that the Amendments of their Lordships had very materially modified and altered the Bill. He then proceeded to shew, that the great principles of the Bill had not been at all touched, altered, or modified by their Lordships. He shortly explained the first Amendment which their Lordships had tacked to the Bill. He had provided that any three of the Puisne Judges might sit along with the Chief Justice, and constitute a full Court. The Amendment provided that the four Puisne Judges might constitute the Court without the Chief Justice, thus providing for the absence of the Chief Justice on account of indisposition or any other temporary reason. For his own part, he would candidly confess that he did not concur in the propriety of this Amendment: but though he did not approve of it, he did not on that account think it right to object to the Bill altogether. Another Amendment was, to give the Puisne Judge sitting in the Bail Court, or in chambers, all the authority of the Court to make orders, &c. for the regulation of the business which might come before him. To this Amendment he also saw some objections, but not of such a nature as to endanger the success of the Bill on their account. The other Amendments were more of a verbal nature. He had introduced into his Bill a clause, giving the Judges the power of fixing the return days at their discretion after the Bill was passed. The Judges had fixed them already, and they had, in consequence, been inserted in the Bill—an insertion which made several other verbal alterations necessary. Lord Tenterden had been of opinion that the Bill should not come into operation in the Court of King's Bench till next Michaelmas Term; for his Lordship had got his Majesty's warrant, giving the Judges authority to sit *in banco* up to the commencement of that Term, by virtue of an Act of Parliament which this Bill repealed. Though he did not think that the practice of sitting *in banco* in the vacation was a practice which deserved countenance, either from that House or from the country at large, yet, in deference to Lord Tenterden, he did not intend to make any objection to the Amendment which his Lordship had carried in the other House upon this part of the Bill. That Amendment made it necessary, however, to make some verbal alterations in other clauses. Their Lordships had, however, made one omission in the Bill, which he looked upon as a great deterioration of it. There was a great facility in the county palatine of Chester, and also in Wales, of getting judgment entered after verdict. Owing to the special jurisdiction which prevailed in those parts, judgment could be entered up within a few days after the termination of the assizes. He had proposed to continue to the County Palatine and to the people of Wales this privilege: but he understood that this privilege had been taken from them, in consequence of a representation that had been made by the Master of the King's Bench, that it would occasion himself and his clerk a week or a fortnight's additional labour each year. That did not appear to him a reason at all satisfactory, and he therefore gave a pledge to the gentlemen of Wales, and of the County Palatine, that in the very first Bill which he should introduce for the further improvement of the administration of justice he would introduce a clause restoring to them that privilege. He then proceeded to explain the alterations which had been made respecting the mode of levying fines and recoveries in Wales, and having concluded his explanation, repeated, that none of the Amendments which he had just recited touched, altered, or modified, the principle of the Bill, but were all intended to promote the great object which it had in view—facilitating the progress of suits, and the improvement of the administration of justice. In conclusion, he stated it to be his firm conviction, that this Bill was the most important measure which had been submitted to Parliament for many years, whether it were considered in reference to its general utility, or in reference to the great improvements which it would effect in the administration of justice. He assured the House, that in carrying it into effect Government had made a great sacrifice of its patronage. All the offices which were connected with the Courts in Wales, and which were far more numerous than he had supposed, would cease to exist from the day on which this Bill should become law. He thought it necessary to make that statement, in order that the public might be aware that Government had no other object in passing this Bill than the promotion of the public interest and the improvement of the administration of justice. He then moved, that the House do now take the Lords' Amendments into its consideration.

Mr. *C. W. Wynn* concurrred with his hon. and learned friend in thinking that by agreeing to this Bill, Government had not only made a considerable sacrifice of its patronage, but had also conferred considerable advantages upon the inhabitants of England and Wales. He thought, however, that the House ought not to accede, without previous notice, to Amendments so numerous and so complex as those which his hon. and learned friend had explained. He objected, on the part of the Commons of England, to having it supposed that they would, as a matter of course, enter immediately upon the consideration of Amendments sent down to them from the Lords. He thought that it would be advantageous for the House to make a regulation that it would not agree to any Amendments of the Lords without having one day at least to consider of them. He therefore thought it objectionable that the House should at once accede to these Amendments. He considered the omission of the clause, continuing to the County Palatine of Chester its former privilege of proceeding with rapidity to judgment, a material deterioration of the Bill. He thought that if the House were to inform their Lordships that they agreed to all the Amendments but that which omitted the clause, and requested a conference, their Lordships would consent to its re-introduction.

Mr. *E. Davenport* concurred in the opinions expressed by the last speaker, and thought that the House should attempt to procure the insertion of the clause. Several Members had left town in the full persuasion that the clause would not be expunged, or, if rejected by the Lords, that the Bill would not be passed without it.

The *Solicitor General* said, that the clause had been rejected in the House of Lords, not for the reason stated by his learned friend, but because its object being one of the points recommended by the Law Commissioners, their Lordships thought that it could be more properly carried into effect next year by a separate bill.

Mr. *Maberly* expressed his surprise that the law-officers of the Crown, in the two Houses of Parliament, should be at issue with respect to any part of a measure introduced.

Mr. *Spence* regretted that the clause had been expunged, particularly as the inhabitants of Wales appeared to set great value upon its enactment. He, however, would acquiesce in the amendments, on account of the pledge given by the Attorney General to introduce the clause next year.

On the question that the House do agree with the Lords' Amendments,

Mr. *C. W. Wynn* suggested, that the Lords should be requested to assign a reason for the omission of the clause.

Sir *R. Peel* thought that the course recommended by the right hon. Gentleman would not relieve the House from its difficulty. The Lords, when called upon for a reason, might give a very bad one, and, as far as he knew, so he believed they would. As a general rule, he thought it would be advantageous to have all Amendments of the other House printed, but the inconvenience which might arise from delaying the Prorogation, which would be the consequence of a conference, was a matter more to be avoided than merely permitting the law to stand as this Bill would leave it, with the understanding that his hon. and learned friend, the Attorney General, being a Member of that House, stood pledged to the introduction of a bill which should meet the wishes of hon. Members opposite.

Lord *J. Russell* wished a conference to take place immediately.

The Lords' Amendments were agreed to, and the Bill ordered to be carried back to the Lords.

HOUSE OF LORDS.

Friday, July 23.

PROROGATION OF PARLIAMENT.] His Majesty came this day to prorogue the Parliament in person. At two o'clock he entered the House, and took his seat on the Throne. The Lord Chancellor, the Duke of Norfolk, the Duke of Buckingham (as Lord Steward), and other officers of State, took their station on his right. The Duke of Wellington, and several other Officers of State, took their stations at the left of the Throne.

His Majesty wore the dress of an Admiral, over which were his robes of State. He appeared in excellent health.

The King of Wurtemberg, was present as well as a considerable number of foreign Ambassadors, and other persons of distinction.

As soon as his Majesty had taken his seat, the Usher of the Black Rod was sent to summon the House of Commons to attend his Majesty. In a short time the Speaker, in his State robes, accompanied by Sir R. Peel, and as many other Members as the space allotted for them could conveniently hold, appeared at the bar.

The Speaker then addressed his Majesty to the following effect:

" May it please your Majesty,—We, your Majesty's most faithful Commons of the United Kingdom of Great Britain and Ireland, in Parliament assembled, attend your Majesty for the first time since your Majesty's accession to the Throne of these realms. And, Sir, it would be difficult for me adequately to express, and impossible to over-state, the loyal and dutiful attachment which we, in common with the rest of your Majesty's faithful subjects, bear towards your Majesty's person and Government.

" Sir,—We are about to close a Session of unusual length and unprecedented labour, confidently, however, anticipating that the objects we have effected will in their results be productive of relief to a large class of the community, and of general satisfaction to the whole nation.

" Sir, in the gracious Speech delivered by the Lords Commissioners, on the part of his late Majesty, at the commencement of this Session, measures of deep concern to the present happiness and permanent welfare of the country were recommended to our early, earnest, and most deliberate consideration. To these recommendations, with anxious zeal and persevering industry, we have addressed our best attention.

" We have been enabled to effect great reductions in the public expenditure, without impairing the efficiency of our naval and military establishments; and a large reduction of taxation, without endangering public credit.

" We have, in following up our labour of the preceding Session, in the amelioration of the criminal law, consolidated and ameliorated the laws relative to the crime of forgery; and in mitigating their severity we presume to hope we have increased their efficiency. We have also applied ourselves to great and comprehensive improvements in the general administration of justice, in the Common-law Courts of Westminster-hall, the principality of Wales, and in Scotland, adapting the jurisdiction of the higher Courts to the wants and just demands of this moral, industrious, enterprising, and enlightened nation.

" These, Sir, are the leading and most important subjects to which our inquiries were directed, and our labours applied; and if our wishes and exertion be responded to, by the benefits looked for from the measures we have perfected, I may conclude with a confident hope that we shall have entitled ourselves to your Majesty's gracious approbation, and to the respect and gratitude of the whole nation."

The right hon. Gentleman then informed his Majesty, that the House of Commons had passed the Appropriation Bill, and some other money bills, to which he prayed that his Majesty might be pleased to give his Royal assent.

The Royal assent was immediately given, in the usual form, to the Appropriation, the Exchequer Bills, the Forgeries Punishment, the Administration of Justice, the Warehoused Sugar, the Common-law fees, the Libel-law Amendment, the Court of Session, the Sale of Beer, the Erroneous Reference, the East Retford, and the Stage Coach Bills. His Majesty then delivered the following most gracious Speech:—

" My Lords and Gentlemen,

" On this first occasion of meeting you, I am desirous of repeating to you, in Person, my cordial thanks for those assurances of sincere sympathy and affectionate attachment which you conveyed to me on the Demise of my lamented Brother, and on my Accession to the Throne of my ancestors.

" I ascend that Throne with a deep sense of the sacred duties which devolve upon me, with a firm reliance on the affection of my faithful subjects, and on the support and co-operation of Parliament; and with an humble and earnest prayer to Almighty God, that he will prosper my anxious endeavours to promote the happiness of a free and loyal people.

" It is with the utmost satisfaction that I find myself enabled to congratulate you upon the general tranquillity of Europe. This tranquillity it will be the object of my constant endeavours to preserve, and the assurances which I receive from my Allies, and from all Foreign Powers, are dictated in a similar spirit.

" I trust the good understanding which prevails upon subjects of common interest, and the deep concern which every State must have in maintaining the peace of the world, will ensure the satisfactory settlement of those matters which still remain to be finally arranged.

" Gentlemen of the House of Commons,

" I thank you for the Supplies which you have granted, and for the provision which you have made for several branches of the public service during that part of the present year which must elapse before a new Parliament can be assembled.

" I cordially congratulate you on the diminution which has taken place in the expenditure of the country, on the reduction of the charge of the public debt, and on the relief which you have offered to my people by the repeal of some of those taxes which have heretofore pressed heavily upon them.

" You may rely upon my prudent and economical administration of the Supplies which you have placed at my disposal, and upon my readiness to concur in every diminution of the public charge which can be effected consistently with the dignity of the Crown, the maintenance of national faith, and the permanent interests of the country.

" My Lords and Gentlemen,

" I cannot put an end to this Session, and take my leave of the present Parliament, without expressing my cordial thanks for the zeal which you have manifested on so many occasions for the welfare of my people.

" You have wisely availed yourselves of the happy opportunity of general peace and internal repose, calmly to review many of the laws and judicial establishments of this country, and you have applied such cautious and well-considered reforms as are consistent with the spirit of our venerable institutions, and are calculated to facilitate and expedite the administration of justice.

" You have removed the civil disqualifications which affected numerous and important classes of my people.

" While I declare, on this solemn occasion, my fixed intention to maintain, to the utmost of my power, the Protestant reformed religion established by law, let me, at the same time, express my earnest hope that the animosities which have prevailed on account of religious distinctions may be forgotten, and that the decision of Parliament with respect to those distinctions having been irrevocably pronounced, my faithful subjects will unite with me in advancing the great object contemplated by the Legislature, and in promoting that spirit of domestic concord and peace which constitutes the surest basis of our national strength and happiness."

The *Lord Chancellor*, by his Majesty's command, said,—

" My Lords and Gentlemen,

" It is his Majesty's Royal will and pleasure that this Parliament be prorogued to Tuesday the 10th day of August next, to be then and here holden; and this Parliament is accordingly prorogued to Tuesday, the 10th day of August next."

His Majesty departed, the Commons retired, and the Peers slowly dispersed.

HOUSE OF COMMONS,

Friday, July 23.

Dissolution.] The House at two o'clock was summoned to the House of Lords, to hear the Speech delivered by his Majesty from the Throne [for which see Lords' Debates.]

The Speaker accordingly proceeded, attended by about sixty Members, to the House of Peers.

At twenty minutes to three o'clock the Speaker returned, accompanied by the other Members, and having read the Speech at the Table, the Members separated.

Saturday, July 24th.

This Day the Parliament
was Dissolved by
Proclamation.

APPENDIX.

FINANCE ACCOUNTS

FOR THE YEAR ENDED 5TH JANUARY, 1830.

CLASS.

- I. - - - PUBLIC INCOME.
- II. - - - PUBLIC EXPENDITURE.
- III. - - - CONSOLIDATED FUND.
- IV. - - - PUBLIC FUNDED DEBT.
- V. - - - UNFUNDED DEBT.
- VI. - - - DISPOSITION OF GRANTS.
- VII. - - - ARREARS AND BALANCES.
- VIII. - - - TRADE AND NAVIGATION.

No. I.—An Account of the ORDINARY REVENUES and EXTRAORDINARY RESOURCES, IRELAND, for the Year

HEADS OF REVENUE.	GROSS RECEIPT.			Repayments, Allowances, Discounts, Drawbacks, and Bounties in the Nature of Drawbacks, &c.			NETT RECEIPT within the Year, after deducting REPAYMENTS, &c.		
	£.	s.	d.	£.	s.	d.	£.	s.	d.
Ordinary Revenues.									
Customs	20,571,837	0	2	1,273,511	1	0¼	19,298,325	19	1¾
Excise	23,052,186	0	3½	2,290,528	9	0¼	20,761,657	11	3¼
Stamps	7,586,318	2	5½	300,342	0	10	7,285,976	1	7½
Taxes, under the Management of the Commissioners of Taxes	5,212,569	14	2¼	6,177	12	11¼	5,206,392	1	3
Post Office	2,265,482	8	5¼	80,815	6	1¼	2,184,667	2	4
One Shilling in the Pound, and Sixpence in the Pound on Pensions and Salaries, and Four Shillings in the Pound on Pensions	55,938	2	11¼	-	-	-	55,938	2	11¼
Hackney Coaches, and Hawkers and Pedlars	72,052	10	5	-	-	-	72,052	10	5
Crown Lands, exclusive of the Sum of £.300,000 borrowed from the Equitable Assurance Company, under the authority of the Act 10 Geo. 4, c. 61, for the Improvements in the Strand, the application of which will be shown in the Annual Report of the Commissioners of Woods, to be laid before Parliament during the present Session	465,481	4	5½	-	-	-	465,481	4	5½
Small Branches of the King's Hereditary Revenue	7,906	9	11	-	-	-	7,906	9	11
Surplus Fees of Regulated Public Offices	66,372	15	0¼	-	-	-	66,372	15	0¼
Poundage Fees, Pells Fees, Casualties, Treasury Fees, and Hospital Fees	8,886	14	8½	-	-	-	8,886	14	8½
TOTALS of Ordinary Revenues	59,365,031	3	0	3,951,374	9	11	55,413,656	13	1
Other Resources.									
Money received from the East-India Company, on account of Retired Pay, Pensions, &c. of his Majesty's Forces serving in the East Indies, per Act 4 Geo. 4, c. 71	60,000	0	0	-	-	-	60,000	0	0
Imprest Monies, repaid by sundry Public Accountants, and other Monies paid to the Public	212,550	15	11	-	-	-	212,550	15	11
From the Bank of England, on account of Unclaimed Dividends	81,404	7	8	-	-	-	81,404	7	8
Money brought from the Civil List, on account of the Salary of Lord Warden of the Cinque Ports, and on account of the Clerk of the Hanaper	4,452	0	3	-	-	-	4,452	0	3
TOTALS of the Public Income of the United Kingdom	59,723,438	6	10	3,951,374	9	11	55,772,063	16	11

Whitehall, Treasury Chambers,
6th March, 1830.

constituting the PUBLIC INCOME of the United Kingdom of GREAT BRITAIN an ended 5th January, 1830.

TOTAL INCOME, including BALANCES outstanding 5th Jan. 1829.			Charges of Collection, and other Payments out of the Income, in its Progress to the Exchequer.			PAYMENTS into the EXCHEQUER.			BALANCES and BILLS outstanding on 5th January, 1830.			TOTAL DISCHARGE of the INCOME.			Rate per ce for which t Gross Recei was collecte	
£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.
19,783,900	16	2⅜	2,044,467	19	6¾	17,211,839	19	6¼	527,592	17	1⅜	19,783,900	16	2⅜	6	13
21,872,168	0	0¾	1,417,106	2	8¾	19,540,010	19	11¾	915,050	17	4½	21,872,168	0	0¾	5	6
7,566,231	2	2½	193,279	13	9	7,101,304	13	5	271,646	15	0½	7,566,231	2	2½	2	10
5,323,370	7	4¼	308,529	10	4¼	4,896,567	10	6½	118,273	6	5½	5,323,370	7	4¼	5	10
2,360,981	4	4	716,261	19	9¾	1,481,000	0	0	163,719	4	6¾	2,360,981	4	4	29	16
59,098	1	6¼	1,313	4	8	54,493	1	11¼	3,291	14	11	59,098	1	6¼	2	7
72,265	12	11	10,893	6	11	61,167	1	10	205	4	2	72,265	12	11	15	2
526,295	18	10¾	453,341	17	5	-	-	-	72,954	1	5¾	526,295	18	10¾	5	13
10,459	3	6¾	3,087	3	10	6,632	5	0	739	14	8¾	10,459	3	6¾	13	15
66,372	15	0¼	-	-	-	66,372	15	0¼	-	-	-	66,372	15	0¼	—	
8,886	14	8½	-	-	-	8,886	14	8½	-	-	-	8,886	14	8½	—	
57,650,029	16	9⅝	5,148,280	19	0½	50,428,275	1	11½	2,073,473	15	10⅜	57,650,029	16	9⅝	6	7
60,000	0	0	-	-	-	60,000	0	0	-	-	-	60,000	0	0	—	
212,550	15	11	-	-	-	212,550	15	11	-	-	-	212,550	15	11	—	
81,404	7	8	-	-	-	81,404	7	8	-	-	-	81,404	7	8	—	
4,452	0	3	-	-	-	4,452	0	0	-	-	-	4,452	0	3	—	
58,008,437	0	7⅝	5,148,280	19	0½	50,786,682	5	9½	2,073,473	15	10⅜	58,008,437	0	7⅝	—	

GEO. R. DAWSON.

No. II.—An Account of the ORDINARY REVENUES and EXTRAORDINARY the Year ended

HEADS OF REVENUE.	GROSS RECEIPT.			Repayments, Allowances, Discounts, Drawbacks, and Bounties of the Nature of Drawbacks.			NETT RECEIPT within the Year, after deducting REPAYMENTS, &c.		
Ordinary Revenues.	£.	s.	d.	£.	s.	d.	£.	s.	d.
Customs	18,896,227	6	10¾	1,232,020	6	2	17,664,207	0	8¾
Excise	21,014,039	19	1¼	2,278,031	13	11	18,736,008	5	2¼
Stamps	7,087,193	1	3¾	291,237	8	9¾	6,795,955	12	6
Taxes, under the Management of the Commissioners of Taxes	5,212,569	14	2¼	6,177	12	11¼	5,206,392	1	3
Post Office	2,024,418	13	8½	65,004	1	8	1,959,414	12	0½
One Shilling in the Pound, and Sixpence in the Pound on Pensions and Salaries, and Four Shillings in the Pound on Pensions	55,938	2	11¼	-	-	-	55,938	2	11¼
Hackney Coaches, and Hawkers and Pedlars	72,052	10	5	-	-	-	72,052	10	5
Crown Lands, exclusive of the Sum of £.300,000 borrowed from the Equitable Assurance Company, under the authority of the Act 10 Geo. 4, c. 61, for Improvements in the Strand, the application of which will be shown in the Annual Report of the Commissioners of Woods, to be laid before Parliament during the present Session	465,481	4	5½	-	-	-	465,481	4	5½
Small Branches of the King's Hereditary Revenue	7,906	9	11	-	-	-	7,906	9	11
Surplus Fees of Regulated Public Offices	66,372	15	0¼	-	-	-	66,372	15	0¼
TOTALS of Ordinary Revenues	54,902,199	17	11½	3,872,471	3	6	51,029,728	14	5½
Other Resources.									
Money received from the East-India Company on Account of Retired Pay, Pensions, &c. of his Majesty's Forces serving in the East Indies, per Act 4 Geo. 4, c. 71	60,000	0	0	-	-	-	60,000	0	0
Imprest Monies repaid by sundry Public Accountants, and other Monies paid to the Public	106,764	13	9	-	-	-	106,764	13	9
From the Bank of England on Account of Unclaimed Dividends	81,404	7	8	-	-	-	81,404	7	8
Money brought from the Civil List, on account of the Salary of Lord Warden of the Cinque Ports, and on account of the Clerk of the Hanaper	4,452	0	3	-	-	-	4,452	0	3
TOTALS of the Public Income of Great Britain	55,154,820	19	7½	3,872,471	3	6	51,282,349	16	1½

Whitehall, Treasury Chambers,
6th March, 1830.

RESOURCES constituting the PUBLIC INCOME of GREAT BRITAIN, for
5th January, 1830.

TOTAL INCOME, including BALANCES outstanding 5th Jan. 1829.			Charge of Collection and other Payments out of the Income, in its Progress to the Exchequer.			PAYMENTS into the EXCHEQUER.			BALANCES and BILLS outstanding on 5th January, 1830.			TOTAL DISCHARGE of the INCOME.			Rate per cen for which th Gross Receip was collecte		
£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	
18,106,385	6	0¼	1,597,773	18	10¾	16,023,861	4	11¼	484,750	2	2¼	18,106,385	6	0¼	5	13	5
19,783,856	0	2¾	1,167,874	17	8¾	17,749,722	5	8¾	866,258	16	9¼	19,783,856	0	2¾	4	15	6
7,062,724	14	3¼	164,258	7	5½	6,644,635	15	10	253,830	10	11¾	7,062,724	14	3¼	2	6	4
5,323,370	7	4¼	308,529	10	4¼	4,896,567	10	6½	118,273	6	5½	5,323,370	7	4¼	5	10	3
2,084,004	11	9	598,635	13	0	1,376,000	0	0	109,368	18	9	2,084,004	11	9	28	12	0
59,098	1	6¼	1,313	4	8	54,493	1	11¼	3,291	14	11	59,098	1	6¼	2	7	0
72,265	12	11	10,893	6	11	61,167	1	10	205	4	2	72,265	12	11	15	2	4
526,295	18	10¾	453,341	17	5	-	-	-	72,954	1	5¾	526,295	18	10¾	5	13	1
10,459	3	6¾	3,087	3	10	6,632	5	0	739	14	8¾	10,459	3	6	13	15	0
66,372	15	0¼	-	-	-	66,372	15	0¼	-	-	-	66,372	15	0¼	—		
53,094,832	11	6½	4,305,708	0	3¼	46,879,452	0	10	1,909,672	10	5¼	53,094,832	11	6½	5	14	7
60,000	0	0	-	-	-	60,000	0	0	-	-	-	60,000	0	0	—		
106,764	13	9	-	-	-	106,764	13	9	-	-	-	106,764	13	9	—		
81,404	7	8	-	-	-	81,404	7	8	-	-	-	81,404	7	8	—		
4,452	0	3	-	-	-	4,452	0	3	-	-	-	4,452	0	3	—		
53,347,453	13	2½	4,305,708	0	3¼	47,132,073	2	6	1,909,672	10	5¼	53,347,453	13	2½	—		

GEO. R. DAWSON.

No. III.—An Account of the ORDINARY REVENUES and EXTRAORDINARY
ended 5th

HEADS OF REVENUE.	GROSS RECEIPT.			Repayments, Drawbacks, Discounts, &c.			NETT RECEIPT within the Year, after deducting REPAYMENTS, &c.		
Ordinary Revenues.	£.	s.	d.	£.	s.	d.	£.	s.	d.
Customs	1,675,609	13	3¼	41,490	14	10¼	1,634,118	18	5
Excise	2,038,146	1	2¼	12,496	15	1¼	2,025,649	6	1
Stamps	499,125	1	1¾	9,104	12	0¼	490,020	9	1½
Post Office	241,063	14	8¾	15,811	4	5¼	225,252	10	3½
Poundage Fees, Pells Fees, Casualties, Treasury Fees, and Hospital Fees	8,886	14	8½	-	-	-	8,886	14	8½
TOTALS of Ordinary Revenues	4,462,831	5	0½	78,903	6	5	4,383,927	18	7½
Other Resource.									
Imprest Monies repaid by sundry Public Accountants, and other Monies paid to the Public	105,786	2	2	-	-	-	105,786	2	2
TOTALS of the Public Income of Ireland	4,568,617	7	2½	78,903	6	5	4,489,714	0	9½

Whitehall, Treasury Chambers,
3rd March, 1830.

Resources, constituting the PUBLIC INCOME of Ireland, for the Year
January, 1830.

TOTAL INCOME including BALANCES outstanding 5th Jan. 1829.			Charges of Collection, and other Payments out of the Income, in its Progress to the Exchequer.			PAYMENTS into the EXCHEQUER.			BALANCES and BILLS outstanding on 5th January, 1830.			TOTAL DISCHARGE of the INCOME.			Rate per cen for which th Gross Receip was collectec		
£.	s.	d.	£.	s.	d.	£	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	
1,677,515	10	2⅛	446,694	0	8	1,187,978	14	7	42,842	14	11⅛	1,677,515	10	2⅛	18	2	10
2,088,311	19	10	249,231	4	11¾	1,790,288	14	3	48,792	0	7¼	2,088,311	19	10	10	18	5
503,506	7	11¼	29,021	6	3½	456,668	17	7	17,816	4	0¾	503,506	7	11¼	5	16	3
276,976	12	7	117,626	6	9¾	105,000	0	0	54,350	5	9¼	276,976	12	7	39	17	8
8,886	14	8½	-	-	-	8,886	14	8½	-	-		8,886	14	8½		—	
4,555,197	5	2⅞	842,572	18	9	3,548,823	1	1½	163,801	5	4⅜	4,555,197	5	2⅞	14	12	9
105,786	2	2	-	-	-	105,786	2	2	-	-	-	105,786	2	2		—	
4,660,983	7	4⅞	842,572	18	9	3,654,609	3	3½	163,801	5	4⅜	4,660,983	7	4⅞		—	

GEO. R. DAWSON.

No. I.—An Account of the TOTAL INCOME of the Revenue of Great Bri- Repayments, Allowances, Discounts, Drawbacks, and Bounties of the nature DITURE of the United Kingdom, exclusive of the Sums ap-

HEADS OF REVENUE.	NETT RECEIPT as stated in Account of Public Income. £.	s.	d.	— £.	s.	d.
Ordinary Revenues.						
Balances and Bills outstanding on 5th January 1829	-	-	-	2,236,373	3	8⅝
Customs	19,298,325	19	1¾			
Excise	20,761,657	11	3¼			
Stamps	7,285,976	1	7½			
Taxes	5,206,392	1	3			
Post Office	2,184,667	2	4			
One Shilling and Sixpenny Duty on Pensions and Salaries, and Four Shillings in the Pound on Pensions	55,938	2	11¼			
Hackney Coaches, and Hawkers and Pedlars	72,052	10	5			
Crown Lands	465,481	4	5½			
Small Branches of the King's Hereditary Revenue	7,906	9	11			
Surplus Fees of Regulated Public Offices	66,372	15	0¼			
Poundage Fees, Pells Fees, Casualties, Treasury Fees, and Hospital Fees	8,886	14	8½			
				55,413,656	13	1
				57,650,029	16	9⅝
Deduct Balances and Bills outstanding on 5th January 1830	-	-	-	2,073,473	15	10⅝
Total Ordinary Revenues	-	-	-	55,576,556	0	11
Other Resources.						
Money received from the East India Company, on account of Retired Pay, Pensions, &c. of his Majesty's Forces serving in the East Indies, per Act 4 Geo. 4, c. 71	60,000	0	0			
Imprest Monies repaid by sundry Public Accountants, and other Monies paid to the Public	212,550	11	11			
From the Bank of England, on account of Unclaimed Dividends	81,404	7	8			
Money brought from the Civil List, on account of the Salary of the Lord Warden of the Cinque Ports	3,452	0	3			
Do. do. on account of the Clerk of the Hanaper	1,000	0	0			
				358,407	3	10
				55,934,963	4	9
Balances in the hands of Receivers, &c. on 5th January 1829				2,236,373	3	8¾
Ditto on 5th January 1830				2,073,473	15	10⅜
Balances less in 1830 than in 1829				162,899	7	10⅜
Surplus Income paid into Exchequer over Expenditure issued thereout				1,711,548	6	3¾
				1,548,648	18	5⅜

Whitehall, Treasury Chambers,
9th March, 1830.

TAIN and IRELAND, in the Year ended 5th January 1830, after deducting the
of Drawbacks; together with an Account of the PUBLIC EXPEN-
plied to the Reduction of the National Debt within the same Period.

EXPENDITURE.	—			—		
PAYMENTS OUT OF THE INCOME in its progress to the Exchequer:	£.	s.	d.	£.	s.	d.
Charges of Collection	3,797,038	8	4¾			
Other Payments	1,351,242	10	7¾			
TOTAL Payments out of the Income, prior to the Payments into the Exchequer	-	-	-	5,148,280	19	0½
FUNDED DEBT:						
Interest and Management of the Permanent Debt	25,672,555	15	1½			
Terminable Annuities	2,604,562	3	5¼			
Total Charge of the Funded Debt	28,277,117	18	6¾			
UNFUNDED DEBT:						
Interest on Exchequer Bills	878,494	1	3¼	29,155,611	19	10
Civil List, four Quarters to 5th January 1830	1,057,000	0	0			
Pensions on the Consolidated Fund	378,691	16	10¾			
Salaries and Allowances	71,257	16	8			
Courts of Justice	148,021	15	6¾			
Mint Establishment	14,633	0	0			
Bounties on ditto granted for the encouragement of the growth of Hemp and Flax in Scotland, per 27 Geo. III. c. 13, s. 65.	2,956	13	8			
Miscellaneous Charges upon the Consolidated Fund	202,470	3	8			
Ditto - - do. - - Ireland	377,968	12	5¼	2,252,999	18	10¾
Army	7,709,372	6	9			
Navy	5,902,339	1	8			
Ordnance	1,569,150	0	0			
Miscellaneous, chargeable upon several Acts of Parliament	2,485,660	12	4	17,666,522	0	9
TOTAL				54,223,414	18	6¼
Surplus of Income paid into Exchequer, over Expenditure issued thereout				1,711,548	6	3¾
				55,934,963	4	9

GEO. R. DAWSON.

No. II.—An Account of the Nett PUBLIC INCOME of the United Kingdom of the Expenditure thereout, defrayed by the several Revenue Departments, and applied to the Redemption of Funded Debt, or for paying off Unfunded

INCOME.	Applicable to the Consolidated Fund.			Applicable to other Public Services.			Income paid into the Exchequer.		
ORDINARY REVENUES AND RECEIPTS.	£.	s.	d.	£.	s.	d.	£.	s.	d.
Customs	14,029,736	9	11¼	3,182,103	9	7	17,211,839	19	6¼
Excise	19,540,010	19	11¾	-	-	-	19,540,010	19	11¾
Stamps	7,101,304	13	5	-	-	-	7,101,304	13	5
Taxes	4,896,567	10	6½	-	-	-	4,896,567	10	6½
Post Office	1,481,000	0	0	-	-	-	1,481,000	0	0
One Shilling and Sixpence, and Four Shillings on Pensions and Salaries	54,493	1	11¼	-	-	-	54,493	1	11¼
Hackney Coaches, and Hawkers and Pedlars	61,167	1	10	-	-	-	61,167	1	10
Small Branches of the King's Hereditary Revenue	6,632	5	0	-	-	-	6,632	5	0
Surplus Fees of regulated Public Offices	66,372	15	0¼	-	-	-	66,372	15	0¼
Poundage Fees, Pells Fees, &c. in Ireland	8,886	14	8½	-	-	-	8,886	14	8½
TOTAL Ordinary Revenue	47,246,171	12	4½	3,182,103	9	7	50,428,275	1	11½
OTHER RECEIPTS.									
Imprest and other Monies	212,522	14	6¾	28	1	4¼	212,550	15	11
Money received from the East India Company.	-	-	-	60,000	0	0	60,000	0	0
Do. received from the Bank, on Account of Unclaimed Dividends	-	-	-	81,404	7	8	81,404	7	8
Do. brought from the Civil List, on account of the Salary of the Lord Warden of the Cinque Ports	3,452	0	3	-	-	-	3,452	0	3
Do. - - do. - - on account of the Clerk of the Hanaper	1,000	0	0	-	-	-	1,000	0	0
	47,463,146	7	2¼	3,323,535	18	7¼	50,786,682	5	9½

Whitehall, Treasury Chambers,
22nd February, 1830.

Great Britain and Ireland, in the Year ended 5th January, 1830, after abating
of the Actual Issues or Payments within the same period, exclusive of the Sums
Debt, and of the Advances and Repayments for Local Works, &c.

EXPENDITURE.	£.	s.	d.	Nett Expenditure. £.	s.	d.
FUNDED DEBT:						
Interest and Management of the Permanent Debt	25,672,555	15	1½			
Terminable Annuities	2,604,562	3	5¼			
Total Charge of the Funded Debt, exclusive of 192,035*l.* 9*s.* 8*d.* explained in the next Account of Balances	28,277,117	18	6¾			
UNFUNDED DEBT:						
Interest on Exchequer Bills	878,494	1	3¼	29,155,611	19	10
Civil List	1,057,000	0	0			
Pensions	378,691	16	10¾			
Salaries and Allowances	71,257	16	8			
Courts of Justice	148,021	15	6¾			
Mint Establishment	14,633	0	0			
Bounties granted for the encouragement of the growth of Hemp and Flax in Scotland, per Act 27 Geo. 3, c. 13, s. 65	2,956	13	8			
Miscellaneous Charges upon the Consolidated Fund	202,470	3	8			
Payments out of Consolidated Fund, Ireland, under various Acts of Parliament	373,968	12	5¼	2,252,999	18	10¾
				31,408,611	18	8¾
Army	7,709,372	6	9			
Navy	5,902,339	1	8			
Ordnance	1,569,150	0	0			
Miscellaneous, chargeable upon Annual Grants of Parliament	2,485,660	12	4	17,666,522	0	9
				49,075,133	19	5¾
Surplus of Income or Revenue over Expenditure				1,711,548	6	3¾
				50,786,682	5	9½

GEO. R. DAWSON.

No. III.—An Account of the BALANCES of PUBLIC MONEY remaining in the
to the FUNDED or UNFUNDED DEBT, in the Year ended 5th January, 1830; the
Debt; the Total Amount of Advances and Repayments on
thereon, and the Balances in the Ex-

	£.	s.	d.	£.	s.	d.
Balances in the Exchequer on 5th January 1829				4,976,904	3	2½
MONEY RAISED In the Year ended 5th January 1830, by the creation of Unfunded Debt:						
Exchequer Bills per Act 9 Geo. 4, c. 89	2,030,300	0	0			
Ditto - - 10 - - - 5	12,000,000	0	0			
Ditto - - - - c. 60	11,592,300	0	0			
Sugar Bills, c. 36	2,651,000	0	0			
Church Bills	61,500	0	0			
Poor Bills	107,300	0	0			
To pay off 4 per cent Dissentients, per Act 5 Geo. 4, c. 45	50,000	0	0			
				28,492,400	0	0
TOTAL				33,469,304	3	2½
Surplus of Income over Expenditure				1,711,548	6	3¾
				35,180,852	9	6¼

Whitehall, Treasury Chambers,
22nd February, 1830.

Exchequer on the 5th January, 1829; the amount of Money raised by additions
Money applied towards the Redemption of the Funded, or paying off the Unfunded
account of Local Works, &c. with the difference accruing
chequer on the 5th January, 1830.

	£.	s.	d.	£.	s.	d.
ISSUED TO The Commissioners for the Reduction of the National Debt to be applied in the Redemption of Funded Debt:						
By Issues per Act 9 Geo. 4, c. 90	1,029,694	18	1			
Ditto - - - 10 Geo. 4, c. 27	1,226,262	11	7½	2,255,957	9	8½
By interest stated by the said Commissioners to have been received on stock standing in their names, at 5th January and 5th April 1829, previous to the operation of the Act 10 Geo. 4, c. 27	498,918	9	5			
By interest on Donations and Bequests	5,127	1	5			
	504,045	10	10			
Deduct, set apart for payment of Life Annuities, after abating 12,031*l.* 15*s.* for deceased Nominees, and for Annuities unclaimed for three years	312,010	1	2	192,035	9	8
By the Bank of England, to pay off four per cent Dissentients, per Act 5 Geo. 4, c. 45				50,000	0	0
				2,497,992	19	4½
Paymasters of Exchequer Bills for the Payment of Unfunded Debt				27,761,850	0	0
The Total Amount of Advances for the Employment of the Poor, and for Local Works within the Year	620,817	10	2			
The Total Amount of Repayments for ditto, for the same period	549,325	1	5			
Excess of Advances over Repayments				71,492	8	9
				30,331,335	8	1½
Balances remaining in the Exchequer on 5th January 1830				4,849,517	1	4¾
				35,180,852	9	6¼

GEO. R. DAWSON.

No. I.—An Account of the Income of the CONSOLIDATED FUND arising in the
Payments on account of the Consoli-

	£.	s.	d.
The Total Income applicable to the Consolidated Fund	47,828,825	0	1¼
	47,828,825	0	1¼

Whitehall, Treasury Chambers, 22nd February, 1830.

No. II.—An Account of the Money applicable to the Payment of the CONSOLI-
of the several Charges which have become due thereon, in the same
said Fund, at the commencement

	£. s. d.	£. s. d.	£. s. d.
Income arising in Great Britain			43,962,229 16 8¾
Income arising in Ireland		3,866,595 3 4½	
Add the Sum paid out of the Consolidated Fund in Ireland, towards the Supplies, in the Quarter ended 5th January 1829		350,019 12 6	
		4,216,614 15 10½	
Deduct the Sum paid out of the Consolidated Fund in Ireland, towards the Supplies, in the Quarter ended 5th day of January 1830	156,886 18 0½	156,886 18 0½	
			4,059,727 17 10
Total Sum applicable to the Charge of the Consolidated Fund, in the Year ended 5th day of January 1830			48,021,957 14 6¾
Exchequer Bills to be issued to complete the Payment of the Charge, to 5th day of January 1830			5,844,329 5 0½
			53,866,286 19 7¼

Whitehall, Treasury Chambers, 22nd February, 1830.

United Kingdom, in the Year ended 5th January, 1830; and also of the Actual DATED FUND within the same period.

HEADS OF PAYMENT.	£.	s.	d.
Dividends, Interest, Sinking Fund, and Management of the Public Funded Debt, 4 Quarters to 10th October, 1829	30,725,110	17	11¼
Interest on Exchequer Bills issued upon the credit of the Consolidated Fund	72,417	13	11
Civil List, 4 Quarters to 5th January 1830	1,057,000	0	0
Pensions charged by Act of Parliament upon the Consolidated Fund, 4 Quarters to 10th October, 1829	378,691	16	10¾
Salaries and Allowances - - - - - do.	71,257	16	8
Officers of Courts of Justice - - - - do.	148,021	15	6¾
Expenses of the Mint - - - - - - do.	14,633	0	0
Bounties - - - - - - - - do.	2,956	13	8
Miscellaneous - - - - - - - do.	202,470	3	8
Do. - - - Ireland - - - - - do.	377,968	12	5¼
Advances out of the Consolidated Fund in England, for Public Works	132,700	0	0
Advances out of the Consolidated Fund in Ireland, for Public Works	380,817	10	2
	33,564,046	0	11
SURPLUS of the CONSOLIDATED FUND	14,264,778	19	2¼
	47,828,825	0	1¼

GEO. R. DAWSON.

DATED FUND of the United Kingdom, in the Year ended 5th January, 1830, and year, including the Amount of EXCHEQUER BILLS charged upon the and at the termination of the Year.

HEADS OF CHARGE.	£.	s.	d.
Dividends, Interest, Sinking Fund, and Management of the Public Funded Debt, 4 Quarters to 5th January, 1830	30,670,159	17	5¾
Interest on Exchequer Bills issued upon the credit of the Consolidated Fund	69,961	3	3
Civil List, 4 Quarters to 5th January, 1830	1,057,000	0	0
Pensions charged by Act of Parliament upon the Consolidated Fund, 4 Quarters to 5th January, 1830	386,276	16	11¼
Salaries and Allowances - - - - - do.	67,015	5	7
Officers of Courts of Justice - - - - - do.	149,938	9	5½
Expenses of the Mint - - - - - - do.	14,633	0	0
Bounties - - - - - - - - do.	2,956	13	8
Miscellaneous - - - - - - - do.	213,325	19	6
Do. - - Ireland - - - - - do.	378,545	14	9¾
Advances out of the Consolidated Fund in England, for Public Works	122,000	0	0
Advances out of the Consolidated Fund in Ireland, for Public Works	380,817	10	2
	33,512,630	10	10¼
Exchequer Bills issued to make good the charge of the Consolidated Fund, to 5th January, 1829	5,345,333	9	8¼
	38,857,964	0	6½
SURPLUS of the CONSOLIDATED FUND	15,008,322	19	0¾
	53,866,286	19	7¼

GEO. R. DAWSON.

FINANCE ACCOUNTS:

An Account of the State of the PUBLIC FUNDED DEBT of GREAT BRI-

DEBT.

	1. CAPITALS.			2. CAPITALS transferred to the Commissioners.			3. CAPITALS UNREDEEMED.		
GREAT BRITAIN.	£.	s.	d.	£.	s.	d.	£.	s.	d.
Debt due to the South Sea Company - - at £3. per cent	3,662,784	8	6½	-	-	-	3,662,784	8	6½
Old South Sea Annuities - do.	3,623,870	2	7	-	-	-	3,623,870	2	7
New South Sea Annuities - do.	2,582,830	2	10	-	-	-	2,582,830	2	10
South Sea Annuities, 1751 - do.	619,100	0	0	-	-	-	619,100	0	0
Debt due to the Bank of England do.	14,686,800	0	0	-	-	-	14,686,800	0	0
Bank Annuities, created in 1726 do.	957,049	0	0	444	1	0	956,604	19	0
Consolidated Annuities - - do.	353,099,052	4	10¼	632,970	16	4	352,466,081	8	6¼
Reduced Annuities - - - do.	126,211,732	6	7	701,982	19	2	125,509,749	7	5
TOTAL at £.3 per cent	505,443,218	5	4¾	1,335,397	16	6	504,107,820	8	10¾
Annuities - - at 3½ per cent	13,598,700	13	9	-	-	-	13,598,700	13	9
Reduced Annuities at - - do.	66,097,714	12	3	10,653	12	11	66,087,060	19	4
New 4 per cent Annuities	144,340,554	3	4	9,341	16	4	144,331,212	7	0
Annuities created 1826, at 4 per cent ...	11,500,748	0	0	-	-	-	11,500,748	0	0
Great Britain	740,980,935	14	8¾	1,355,393	5	9	739,625,542	8	11¾
In IRELAND.									
Irish Consolidated £.3 per cent Annuities	2,304,469	14	10	-	-	-	2,304,469	14	10
Irish Reduced £.3 per cent Annuities ...	389,428	17	10	-	-	-	389,428	17	10
£.3½ per cent Debentures and Stock ...	13,665,151	6	7	-	-	-	13,665,151	6	7
Reduced £.3½ per cent Annuities.........	1,318,575	14	7	-	-	-	1,318,575	14	7
Debt due to the Bank of Ireland at £.4 per cent	1,615,384	12	4	-	-	-	1,615,384	12	4
New £.4 per cent Annuities................	11,317,995	6	2	-	-	-	11,317,995	6	2
Debt due to the Bank of Ireland at £.5 per cent	1,015,384	12	4	-	-	-	1,015,384	12	4
Ireland	31,626,390	4	8	-	-	-	31,626,390	4	8
TOTAL United Kingdom ...	772,607,325	19	4¾	1,355,393	5	9	771,251,932	13	7¾

TAIN and IRELAND, and the CHARGE thereupon, at the 5th January, 1830.

CHARGE.

—		IN GREAT BRITAIN.			IN IRELAND.			TOTAL ANNUAL CHARGE.		
		£.	s.	d.	£.	s.	d.	£.	s.	d.
Due to the Public Creditor.	Annual Interest on Unredeemed Debt	24,145,514	13	9¾	1,173,351	16	9¾			
	Long Annuities, expire 1860	1,204,678	6	4	—					
	Annuities per 4 Geo. IV. c. 22, do. 1867	585,740	0	0	—					
	Annuities per 10 Geo. IV. c. 24, expire at various periods	198,593	10	6	—					
	Annuities to the Trustees of the Waterloo Subscription Fund per 59 Geo. III. c. 34, expire 5th July, 1830	8,100	0	0	—					
	Life Annuities per 48 Geo. III. c. 142, and 10 Geo. IV. c. 24.	618,059	12	6	—					
	Life Annuities payable at the Exchequer. English	24,094	11	0	—					
	Irish	35,476	18	7	7,038	0	9			
		26,820,257	12	8¾	1,180,389	17	6¾			
Annual Interest on Stock transferred to the Commissioners for the Reduction of the National Debt, towards the Redemption of Land Tax under Schedules C. D. 1 & D. 2, 53 Geo. 3, c. 123		10,109	16	10¾	—					
Management		275,143	7	1¾	—					
TOTAL ANNUAL CHARGE		27,105,510	16	9¼	1,180,389	17	6¾	28,285,900	14	4

ABSTRACT.

(⁂ *Shillings and Pence omitted.)*

—	CAPITALS.	CAPITALS transferred to the Commissioners.	CAPITALS unredeemed.	ANNUAL CHARGE. Due to the Public Creditor.	ANNUAL CHARGE. MANAGEMENT.	ANNUAL CHARGE. TOTAL.
	£.	£.	£.	£.	£.	£.
Great Britain	740,980,935	1,355,393	739,625,542	26,830,366	275,143	
Ireland	31,626,390	—	31,626,390	1,180,389	—	
	772,607,325	1,355,393	771,251,932	28,010,757	275,143	28,285,900

The Act 10 Geo. IV. c. 27, which came into operation at the 5th July 1829, enacts, That the Sum thenceforth annually applicable to the Reduction of the National Debt of the United Kingdom, shall be the Sum which shall appear to be the amount of the whole actual annual surplus Revenue, beyond the Expenditure of the said United Kingdom; And the following Sums have been accordingly issued to the Commissioners to be applied to the reduction of the said Debt, including Interest receivable on account of Donations and Bequests:—

	£.	s.	d.
At 5th July 1829	699,441	13	4
10th October 1829	529,406	10	5
5th January 1830	571,137	0	6

Class V.—An Account of the UNFUNDED DEBT of Great Britain and Ireland, and of the Demands outstanding on 5th January, 1830.

—	PROVIDED.	UNPROVIDED.	TOTAL.
	£. s. d.	£. s. d.	£. s. d.
Exchequer Bills, exclusive of £.57,050 issued for paying off £.4 per cents, the payment of which is charged on the Sinking Fund	- - -	25,607,600 0 0	25,607,600 0 0
Sums remaining unpaid, charged upon aids granted by Parliament	3,711,956 19 10¼	- - -	3,711,956 19 10¼
Advances made out of the Consolidated Fund in Ireland, towards the Supplies which are to be repaid to the Consolidated Fund, out of the Ways and Means in Great Britain	156,886 18 0½	- - -	156,886 18 0½
Total Unfunded Debt, and Demands outstanding	3,868,843 17 10¾	25,607,600 0 0	29,476,443 17 10¾
Ways and Means	3,949,372 15 2¾	—	—
Surplus Ways and Means	80,528 17 4	—	—
Exchequer Bills to be issued to complete the Charge upon the Consolidated Fund	- - -	5,844,329 5 0½	5,844,329 5 0½

Whitehall, Treasury Chambers,
22nd February, 1830.

GEO. R. DAWSON.

An Account showing how the Monies given for the SERVICE of the United Kingdom of Great Britain and Ireland, for the Year 1829, have been disposed of; distinguished under their several Heads; to 5th January, 1830.

SERVICES.	SUMS Voted or Granted.			SUMS Paid.		
	£.	s.	d.	£.	s.	d.
Navy	5,878,794	11	11	4,839,285	3	7
Ordnance	1,728,908	0	0	1,220,000	0	0
Forces	7,734,993	1	7½	6,684,273	17	9½
For defraying the Charge of the Royal Military College; for the year 1829	10,029	17	1	10,029	17	1
For defraying the Charge of the Royal Military Asylum; for the year 1829	24,155	13	8	11,422	1	5
To defray the Expense of the Works executing at the Royal Harbour of George the Fourth at Kingstown; for the year 1829	20,000	0	0	—		
To defray the Salaries and Allowances to the Officers of the Houses of Lords and Commons; for the year 1829	33,500	0	0	30,048	13	2
To defray the Expenses of the Houses of Lords and Commons; for the year 1829	24,400	0	0	24,400	0	0
To make good the Deficiency of the Fee Fund in the Departments of his Majesty's Treasury, Secretaries of State, most Honourable Privy Council, and Committee of Privy Council for Trade; for the year 1829	87,368	0	0	60,832	10	0
To defray the Contingent Expenses and Messengers' Bills in the Departments of his Majesty's Treasury, Secretaries of State, most Honourable Privy Council, and Committee of Privy Council for Trade; for the year 1829	68,991	0	0	61,598	4	0
To defray the Salaries to certain Officers, and the Expenses of the Court and Receipt of the Exchequer; for the year 1829	6,200	0	0	4,000	0	0
To pay the Salaries or Allowances granted to certain Professors in the Universities of Oxford and Cambridge, for reading Courses of Lectures; for the year 1829	958	5	0	958	5	0
To pay the Salaries of the Commissioners of the Insolvent Debtors Court, of their Clerks, and the Contingent Expenses of their Office; for the year 1829; and also the Expenses attendant upon the Circuits	11,524	6	5	5,143	0	0
To pay in the year 1829, the Salaries of the Officers, and the Contingent Expenses of the Office for the Superintendence of Aliens, and also the Superannuation or retired Allowances to Officers formerly employed in that Service	4,660	0	0	3,600	0	0
To pay the usual Allowances to Protestant Dissenting Ministers in England, poor French Protestant Refugee Clergy, poor French Protestant Refugee Laity, and sundry small Charitable and other Allowances to the Poor of St. Martin-in-the-Fields, and others; for the year 1829	5,812	7	10	3,306	3	11
To defray the Expense of Printing Acts, and Bills, Reports, and other Papers for the two Houses of Parliament; for the year 1829	80,000	0	0	45,999	4	8½
To defray the Expense of Printing, under the direction of the Commissioners on Public Records; for the year 1829	8,200	0	0	7,330	19	10
To defray the Extraordinary Expenses of the Mint, in the Gold Coinage; for the year 1829	10,000	0	0	10,000	0	0
To defray the Extraordinary Expenses that may be incurred for Prosecutions, &c. relating to the Coin of this Kingdom; for the year 1829	6,500	0	0	6,500	0	0
To defray the Expense of Law Charges; for the year 1829	15,000	0	0	10,000	0	0

SERVICES—*continued.*	SUMS Voted or Granted.			SUMS Paid.		
	£.	s.	d.	£.	s.	d.
To defray the Amount of Bills drawn from New South Wales and Van Dieman's Land, on account of the Expenditure incurred for Convicts in those Settlements; in the year 1829	120,000	0	0	—		
To defray the Charge for Civil Contingencies; for the year 1829.	160,000	0	0	100,000	0	0
The following SERVICES are directed to be paid without any Fee or other Deduction whatsoever:						
For defraying the CHARGE of the CIVIL ESTABLISHMENTS under-mentioned; viz.						
Of the Bahama Islands; for the year 1829	3,040	0	0	3,040	0	0
Of Nova Scotia; for the year 1829	10,445	0	0	9,600	0	0
Of New Brunswick; for the year 1829	3,600	0	0	900	0	0
Of the Islands of Bermuda; for the year 1829	4,000	0	0	4,000	0	0
Of Prince Edward's Island; for the year 1829	2,820	0	0	1,700	0	0
Of the Island of Newfoundland; for the year 1829; and of the Expense of erecting a House for the Governor	17,728	0	0	6,000	0	0
Of Sierra Leone; for the year 1829	10,478	5	10	—		
Of the Forts at Cape Coast Castle and Accra; for the year 1829.	4,000	0	0	2,000	0	0
To defray the estimated Expenses of the British Museum	19,899	0	0	19,899	0	0
To defray the Expense of Works and Repairs of Public Buildings; for the year 1829	32,500	0	0	10,127	15	1
To defray the Expense of Works executing at Portpatrick Harbour; for the year 1829	7,000	0	0	7,000	0	0
To defray the Expense of Works executing at Donaghadee Harbour; for the year 1829	8,000	0	0	8,000	0	0
To defray the Expense of the new Buildings at the British Museum, and of the Royal Library; for the year 1829	13,000	0	0	8,903	13	8
To defray the Expense of the Alterations and Improvements at Windsor Castle; for the year 1829	214,500	0	0	100,000	0	0
To defray the Expense of erecting Churches in the West Indies; for the year 1829	5,000	0	0	5,000	0	0
To defray the Expenses of the Commissioners of the Holyhead and Howth Roads and Harbours; for the year 1829	12,649	16	9	—		
To defray the Charge to be incurred for the Caledonian Canal; for the year 1829	4,886	0	0	—		
To make Compensation to the Commissioners appointed by several Acts for inquiring into the Collection and Management of the Revenue in Ireland, and into certain Revenue Departments in Great Britain, for their assiduity, cares and pains in the Execution of the Trusts reposed in them by Parliament	6,500	0	0	6,500	0	0
To defray the Expense of the Establishment of the Penitentiary House at Milbank; for the year 1829	24,000	0	0	15,000	0	0
To defray the Charge of Retired Allowances or Superannuations to Persons formerly employed in Public Offices or Departments, or in the Public Service; for the year 1829	19,236	2	4	4,627	17	1
To grant relief, in the year 1829, to Toulonese and Corsican Emigrants, Dutch Naval Officers, Saint Domingo Sufferers, and others who have heretofore received Allowances from his Majesty, and who from Services performed or Losses sustained in the British Service, have special Claims upon his Majesty's justice and liberality	13,770	0	0	6,600	0	0
To defray the Expense of the National Vaccine Establishment; for the year 1829	2,500	0	0	2,500	0	0
For the support of the Institution called The Refuge for the Destitute; for the year 1829	3,000	0	0	3,000	0	0
For the relief of American Loyalists; for the year 1829	4,300	0	0	3,300	0	0
To defray the Expense of confining and maintaining Criminal Lunatics; for the year 1829	3,711	15	0	3,634	11	8
For his Majesty's Foreign and other Secret Services; for the year 1829	45,000	0	0	44,000	0	0
To defray the Expense of providing Stationery, Printing and Binding, for the several Public Departments of Government;						

SERVICES—*continued.*	SUMS Voted or Granted. £.	s.	d.	SUMS Paid. £.	s.	d.
for the year 1829, including the Expense of the Establishment of the Stationery Office	97,270	0	0	75,000	0	0
To defray the Expense attending the confining, maintaining and employing Convicts at Home and at Bermuda; for the year 1829	108,772	0	0	80,000	0	0
To defray the Expenses of Missions and Special Commissions to the New States of America; for the year 1829	28,000	0	0	11,223	0	0
To pay the Salaries of Consuls General and Consuls, their Contingent Expenses, and Superannuation Allowances to retired Consuls; for the year 1829	89,470	0	0	57,147	14	7
To defray the Expense of the Society for the Propagation of the Gospel in certain of his Majesty's Colonies; for the year 1829	16,182	0	0	16,019	10	0
To defray the Charge in the year 1829, of providing Stores for the Engineer Department in New South Wales and Van Diemen's Land, Bedding and Clothing for the Convicts, Clothing and Tools for the Liberated Africans in Sierra Leone, and Indian Presents for Canada	47,500	0	0	47,500	0	0
To defray the Expense in the year 1829, of improving the Water Communication between Montreal and the Ottawa, from the Ottawa to Kingston, and from Lake Erie to Lake Ontario	163,000	0	0	163,000	0	0
To make Compensation to the Proprietors of Bencoolen, for Losses sustained by them on the surrender of that Settlement to the King of the Netherlands	22,500	0	0	22,500	0	0
To enable his Majesty to fulfil the Stipulations of a Convention with his Catholic Majesty, entered into on the 28th day of Oct. 1828, for the Settlement of certain British Claims upon Spain, and of certain Spanish Claims upon the United Kingdom	200,000	0	0	200,000	0	0
For defraying the CHARGE of the following Services; which are directed to be paid Nett in British Currency:						
To defray the Expense of the Protestant Charter Schools of Ireland; for the year 1829	10,583	0	0	10,583	0	0
To defray the Expense of the Foundling Hospital; for the year 1829	31,483	0	0	31,483	0	0
To defray the Expense of the House of Industry; for the year 1829	24,396	0	0	15,000	0	0
To defray the Expense of the Richmond Lunatic Asylum; for the year 1829	6,700	0	0	6,700	0	0
To defray the Expense of the Hibernian Society for Soldiers' Children; for the year 1829	7,596	0	0	7,596	0	0
To defray the Expense of the Hibernian Marine Society; for the year 1829	1,850	0	0	1,850	0	0
To defray the Expense of the Female Orphan House; for the year 1829	1,646	0	0	1,646	0	0
To defray the Expense of the Westmorland Lock Hospital; for the year 1829	3,060	0	0	3,060	0	0
To defray the Expense of the Lying-in Hospital; for the year 1829	2,609	0	0	2,609	0	0
To defray the Expense of Doctor Steevens' Hospital; for the year 1829	1,676	0	0	1,676	0	0
To defray the Expense of the Fever Hospital, Cork Street, Dublin; for the year 1829	3,900	0	0	3,900	0	0
To defray the Expense of the Hospital for Incurables; for the year 1829	465	0	0	465	0	0
To defray the Expense of the Royal Cork Institution; for the year 1829	1,200	0	0	1,200	0	0
To defray the Expense of the Royal Dublin Society; for the year 1829	7,000	0	0	7,000	0	0
To defray the Expense of the Royal Irish Academy; for the year 1829	300	0	0	300	0	0
To defray the Expense of the Belfast Academical Institution; for the year 1829	1,500	0	0	1,500	0	0
To defray the Expense of the Association for Discountenancing Vice; for the year 1829	9,000	0	0	9,000	0	0

SERVICES—*continued.*				SUMS Voted or Granted.			SUMS Paid.		
				£.	s.	d.	£.	s.	d.
To defray the Expense of the Society for Promoting the Education of the Poor; for the year 1829				25,000	0	0	25,000	0	0
To defray the Expense of the Roman Catholic Seminary at Maynooth; for the year 1829				8,928	0	0	6,696	0	0
To defray the Expense of the Board of Charitable Bequests; for the year 1829				700	0	0	700	0	0
To defray the Expense of the Board of Works; for the year 1829				17,385	0	0	6,412	11	6
To defray the Expense of Printing, Stationery, and other Disbursements of the Chief and Under Secretaries' Offices and Apartments, and other Public Offices in Dublin Castle; for the year 1829				15,000	0	0	13,307	14	5
To defray the Expense of Publishing Proclamations and other Matters of a Public nature; for the year 1829				5,000	0	0	3,515	10	0
To defray the Expense of Printing Statutes in Ireland; for the year 1829				3,500	0	0	1,362	10	1
To defray the Expense of Criminal Prosecutions; for the year 1829				50,000	0	0	50,000	0	0
To defray the Expense of Nonconforming, Seceding, and Protestant Dissenting Ministers in Ireland; for the year 1829				14,360	6	0	9,865	2	11
To defray the Salaries to Lottery Officers in Ireland; for the year 1829				740	6	2	516	18	6
To defray the Expense of Inland Navigations; for the year 1829				5,547	0	0	5,547	0	0
To defray the Expense of the Police and Watch Establishments of the City of Dublin; for the year 1829				24,300	0	0	24,300	0	0
To defray the Expense of the Commissioners of Judicial Inquiry; for the year 1829				7,328	6	2	5,387	8	6
To defray the Expense of the Board of Public Records in Ireland; for the year 1829				3,049	0	0	2,375	0	0
To defray the Expense of certain Public Works in Ireland; for the year 1829				22,800	0	0	21,200	0	0
				17,626,855	1	9½	14,368,205	5	3
To pay off and discharge Exchequer Bills, and that the same be issued and applied towards paying off and discharging any Exchequer Bills charged on the Aids or Supplies of the years 1828 and 1829, now remaining unpaid or unprovided for	28,046,800	0	0						
To pay off and discharge Exchequer Bills issued pursuant to several Acts for carrying on Public Works and Fisheries, and for building additional Churches, outstanding and unprovided for	392,000	0	0						
				28,438,800	0	0	27,611,750	0	0
				46,065,655	1	9½	41,979,955	5	3

PAYMENTS FOR OTHER SERVICES,

Not being part of the Supplies granted for the Service of the Year.

——	Sums Paid to 5th January 1830. £.	s.	d.	Estimated further Payments. £.	s.	d.
Grosvenor Charles Bedford, Esq. on his Salary, for additional trouble in preparing Exchequer Bills, pursuant to Act 48 Geo. 3, c. 1.	150	0	0	50	0	0
Expenses in the Office of the Commissioners for issuing Exchequer Bills, pursuant to Acts 57 Geo. 3, c. 34 & 124, and 3 Geo. 4, c. 86	2,000	0	0			
Expenses in the Office of the Commissioners for issuing Exchequer Bills for building Churches, per Act 58 Geo. 3, c. 45	3,000	0	0			
Expenses incurred in the passing of the Act 5 Geo. 4, c. 90, for building additional Churches in Scotland	1,455	5	3			
By Interest on Exchequer Bills; viz.						
£.10,000,000 per Act 7 Geo. 4, c. 2, Sess. 2, charged on Supplies 1827..	12,813	4	6			
13,800,000 - - 7 & 8 Geo. 4, c. 41 - - - ditto 1828	3,150	0	0			
500,000 - - - - - - - 70 - - - ditto 1828	15,291	13	4			
12,000,000 - - - 9 Geo. 4, c. 2, - - - ditto 1829	360,997	8	0			
16,046,800 - - - - - - - 89 - - - ditto 1829	400,000	0	0			
	798,857	11	1	50	0	0
				798,857	11	1
Total Payments for Services not voted				798,907	11	1
Amount of Sums voted				46,065,655	1	9½
Total Sums voted, and Payments for Services not voted				46,864,562	12	10½

WAYS AND MEANS

for answering the foregoing Services:

				£.	s.	d.
Duty on Sugar, per Act 10 Geo. 4, c. 39..				3,000,000	0	0
East India Company, per Act 10 Geo. 4, c. 3....................................				60,000	0	0
Sum to be brought from the Consolidated Fund, per Act 10 Geo. 4, c. 3..................				4,000,000	0	0
- - - - - Ditto - - - - - - - - - - - - - 28..............				10,700,000	0	0
Interest on Land Tax redeemed by Money....................................				21	12	3½
Unclaimed Dividends, after deducting Repayments to the Bank of England, for deficiencies of Balance in their hands				81,404	7	8
Repayments under Exchequer Bills issued pursuant to two Acts of the 57th year of his late Majesty, for carrying on Public Works and Fisheries in the United Kingdom ...				127,146	8	6
Surplus Ways and Means, per Act 10 Geo. 4, c. 28				506,212	2	8½
				18,474,784	11	2
Exchequer Bills voted in Ways and Means; viz.						
Per Act 10 Geo. 4, c. 4.......................	£.12,000,000	0	0			
— c. 60...........................	13,438,800	0	0			
				25,438,800	0	0
Exchequer Bills Funded pursuant to Act 10 Geo. 4, c. 31.....................................				3,000,000	0	0
Total Ways and Means				46,913,584	11	2
Total Grants and Payments for Services not voted				46,864,562	12	10½
Surplus Ways and Means				49,021	18	3½

Whitehall, Treasury Chambers,
22nd February 1830.

GEO. R. DAWSON.

CLASS VII.—ARREARS AND BALANCES.

[This Head, which occupies 180 folio pages in the Finance Accounts, is here omitted, as not being of general utility.]

TRADE OF THE UNITED KINGDOM.

An Account of the Value of IMPORTS into, and of EXPORTS from the United Kingdom of Great Britain and Ireland:—Also, the Amount of the Produce and Manufactures of the United Kingdom Exported therefrom, according to the Real or Declared Value thereof.

YEARS ending 5th January.	VALUE OF IMPORTS into the United Kingdom, calculated at the Official Rates of Valuation.			VALUE OF EXPORTS FROM THE UNITED KINGDOM, calculated at the Official Rates of Valuation.									VALUE of the Produce and Manufactures of the United Kingdom Exported therefrom according to the Real and Declared Value thereof.		
				Produce and Manufactures of the United Kingdom.			Foreign and Colonial Merchandize.			TOTAL EXPORTS.					
	£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.
1828....	44,887,774	19	2	52,219,280	8	0	9,830,728	2	11	62,050,008	10	11	37,182,857	3	2
1829....	45,028,805	10	1	52,797,455	2	1	9,946,545	12	3	62,744,000	14	4	36,814,176	5	3
1830....	43,981,317	1	11	56,213,041	15	8	10,622,402	12	4	66,835,444	8	0	35,830,469	14	2

TRADE OF GREAT BRITAIN WITH FOREIGN PARTS.

An Account of the Value of the IMPORTS into, and of the EXPORTS from Great Britain:—Also, the Amount of the Produce and Manufactures of the United Kingdom Exported from Great Britain, according to the Real or Declared Value thereof.

YEARS ending 5th January.	VALUE OF IMPORTS into Great Britain, calculated at the Official Rates of Valuation.			VALUE OF EXPORTS FROM GREAT BRITAIN, calculated at the Official Rates of Valuation.									VALUE of the Produce and Manufactures of the United Kingdom Exported from Great Britain, according to the Real or Declared Value thereof.		
				Produce and Manufactures of the United Kingdom.			Foreign and Colonial Merchandize.			TOTAL EXPORTS.					
	£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.
1828....	43,467,747	7	7	51,276,448	4	8	9,806,247	10	11	61,082,695	15	7	36,396,339	6	8
1829....	43,396,527	5	0	52,029,150	17	1	9,928,654	13	0	61,957,805	10	1	36,152,798	11	4
1830....	42,311,648	11	5	55,465,723	1	9	10,606,440	11	3	66,072,163	13	0	35,212,873	8	6

Inspector General's Office, Custom House, London, 24th March, 1830.

WILLIAM IRVING,
Inspector General of Imports and Exports.

TRADE OF IRELAND.

An Account of the Value of all IMPORTS into, and of all EXPORTS from Ireland; during each of the Three Years ending 5th January 1830 (calculated at the Official Rates of Valuation, and stated exclusively of the Trade with Great Britain); distinguishing the Amount of the Produce and Manufactures of the United Kingdom Exported, from the Value of Foreign and Colonial Merchandize Exported:—Also stating the Amount of the Produce and Manufactures of the United Kingdom Exported from Ireland, according to the Real or Declared Value thereof.

—		VALUE of Imports into IRELAND, calculated at the Official Rates of Valuation.			VALUE OF EXPORTS FROM IRELAND, calculated at the Official Rates of Valuation.									VALUE of the Produce and Manufactures of the United Kingdom, Exported from Ireland, according to the Real or Declared Value thereof.		
					Produce and Manufactures of the United Kingdom.			Foreign and Colonial Merchandize.			TOTAL EXPORTS.					
YEARS ENDING		£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.
VALUE exclusive of the Trade with Great Britain.	5th January 1828 ……	1,420,027	11	7	942,832	3	4	24,480	12	0	967,312	15	4	786,517	16	6
	— 1829 ……	1,632,278	5	1	768,304	5	0	17,890	19	3	786,195	4	3	661,377	13	11½
	— 1830 ……	1,669,668	10	6	747,318	13	11	15,962	1	1	763,280	15	0	617,596	5	8

Inspector General's Office, Custom House, London,
24th March, 1830.

WILLIAM IRVING,
Inspector General of Imports and Exports.

NAVIGATION OF THE UNITED KINGDOM.

New Vessels Built.—An Account of the Number of Vessels, with the Amount of their Tonnage, that were built and registered in the several Ports of the British Empire, in the Years ending the 5th January 1828, 1829, and 1830, respectively.

—	In the Years ending the 5th January.					
	1828.		1829.		1830.	
	Vessels.	Tonnage.	Vessels.	Tonnage.	Vessels.	Tonnage.
United Kingdom	894	93,144	842	88,663	718	76,635
Isles Guernsey, Jersey, and Man	17	1,894	15	1,406	16	1,000
British Plantations	529	68,908	464	50,844	341	33,046
Total	1,440	163,946	1,321	140,913	1,075	110,681

Note.—The Account rendered for the Plantations, for the year ended 5th January 1829, is now corrected; and as several Returns from the Plantations are not yet received for the last year, a similar correction will be necessary when the next Account is made up.

Vessels Registered.—An Account of the Number of Vessels, with the Amount of their Tonnage and the Number of Men and Boys usually employed in Navigating the same, that belonged to the several Ports of the British Empire, on the 31st December 1827, 1828, and 1829, respectively.

—	On 31st Dec. 1827.			On 31st Dec. 1828.			On 31st Dec. 1829.		
	Vessels.	Tons.	Men.	Vessels.	Tons.	Men.	Vessels.	Tons.	Men.
United Kingdom	19,035	2,150,605	130,494	19,151	2,161,373	131,306	18,618	2,168,356	130,809
Isles Guernsey, Jersey, and Man	489	30,533	3,701	495	31,927	3,763	492	31,603	3,707
British Plantations	3,675	279,362	17,220	4,449	324,891	20,507	4,343	317,041	20,292
Total	23,199	2,460,500	151,415	24,095	2,518,191	155,576	23,453	2,517,000	154,808

Note.—The apparent decrease in the amount of Shipping belonging to his Majesty's Dominions, as compared with former years, has arisen from the operation of the Acts 4 Geo. 4, c. 41, and 6 Geo. 4, c. 110. In consequence of a considerable number of vessels not having been registered *de novo*, within the period prescribed by those Acts, it has been discovered that many of them are not in existence, or are exempt from Registry, under the Act 6 Geo. 4, c. 109, s. 13.

Office of Regr. Gen. of Shipping, Custom House,
London, 22nd March, 1830.

T. E. WILLOUGHBY.

NAVIGATION OF THE UNITED KINGDOM—*continued.*

VESSELS EMPLOYED IN THE FOREIGN TRADE.—An Account of the Number of VESSELS, with the Amount of their TONNAGE, and the Number of MEN and BOYS employed in Navigating the same (including their repeated Voyages), that entered Inwards and cleared Outwards, at the several Ports of the United Kingdom, from and to Foreign Parts, during each of the Three Years ending 5th January, 1830.

SHIPPING ENTERED INWARDS IN THE UNITED KINGDOM,

From Foreign Parts.

Years ending 5th Jan.	BRITISH AND IRISH VESSELS.			FOREIGN VESSELS.			TOTAL.		
	Vessels.	Tons.	Men.	Vessels.	Tons.	Men.	Vessels.	Tons.	Men.
1828	13,133	2,086,898	118,680	6,046	751,864	43,536	19,179	2,838,762	162,216
1829	13,436	2,094,357	119,141	4,955	634,620	36,733	18,391	2,728,977	155,874
1830	13,659	2,184,535	122,185	5,218	710,303	39,342	18,877	2,894,838	161,527

SHIPPING CLEARED OUTWARDS FROM THE UNITED KINGDOM,

To Foreign Parts.

Years ending 5th Jan.	BRITISH AND IRISH VESSELS.			FOREIGN VESSELS.			TOTAL.		
	Vessels.	Tons.	Men.	Vessels.	Tons.	Men.	Vessels.	Tons.	Men.
1828	11,481	1,887,682	112,385	5,714	767,821	41,598	17,195	2,655,503	153,983
1829	12,248	2,006,397	119,143	4,405	608,118	33,246	16,653	2,614,515	152,389
1830	12,636	2,063,179	119,262	5,094	730,250	38,527	17,730	2,793,429	157,789

Office of Regr. Gen. of Shipping, Custom House,
London, 22nd March, 1830.

T. E. WILLOUGHBY.

NAVIGATION OF GREAT BRITAIN.

NEW VESSELS BUILT.—An Account of the Number of VESSELS, with the Amount of their TONNAGE, that were Built and Registered in the several Ports of the BRITISH EMPIRE (except IRELAND), in the Years ending 5th January 1828, 1829, and 1830, respectively.

—	In the Years ending the 5th January.					
	1828.		1829.		1830.	
	Vessels.	Tonnage.	Vessels.	Tonnage.	Vessels.	Tonnage.
England	650	72,065	630	70,685	517	61,299
Scotland	210	18,629	167	15,973	170	14,023
Isle of Guernsey	4	696	3	554	1	17
— Jersey	8	943	8	716	7	443
— Man	5	255	4	136	8	540
British Plantations	529	68,908	464	50,844	341	33,046
TOTAL, (exclusive of Ireland)	1,406	161,496	1,276	138,908	1,044	109,368

Note.—The Account delivered last year (for the Year ending 5th January 1829) is now corrected; and as several Returns from the Plantations for the Year ending 5th January 1830 are not yet received, a similar correction will be necessary when the next Return is made up.

VESSELS REGISTERED.—An Account of the Number of VESSELS, with the Amount of their TONNAGE, and the Number of MEN and BOYS usually employed in Navigating the same, that belonged to the several Ports of the BRITISH EMPIRE (except IRELAND) on the 31st December 1827, 1828, and 1829 respectively.

—	On 31st Dec. 1827.			On 31st Dec. 1828.			On 31st Dec. 1829.		
	Vessels.	Tonnage.	Men.	Vessels.	Tonnage.	Men.	Vessels.	Tonnage.	Men.
England	14,492	1,752,400	101,039	14,578	1,760,085	101,529	13,977	1,758,065	101,563
Scotland	3,143	300,836	21,846	3,168	301,839	21,999	3,228	308,297	22,481
Isle of Guernsey	75	7,879	580	74	8,364	594	75	7,672	574
— Jersey	183	16,582	1,658	196	17,552	1,750	200	18,217	1,761
— Man	231	6,072	1,463	225	6,011	1,419	217	5,714	1,372
British Plantations.	3,675	279,362	17,220	4,449	324,891	20,507	4,343	317,041	20,292
TOTAL, (exclusive of Ireland	21,799	2,363,131	143,806	22,690	2,418,742	147,798	22,040	2,415,006	147,043

Note.—The apparent decrease in the amount of Shipping belonging to his Majesty's Dominions, as compared with former years, has arisen from the operation of the Acts 4 Geo. 4, c. 41, and 6 Geo. 4, c. 110; in consequence of a considerable number of Vessels not having been registered *de novo*, within the period prescribed by those Acts, it has been discovered that many of them are not in existence, or are exempt from Registry under the Act 6 Geo. 4, c. 109, s. 13.

Office of Regr. Gen. of Shipping, Custom House,
London, 22nd of March, 1830.

T. E. WILLOUGHBY.

NAVIGATION OF IRELAND.

NEW VESSELS BUILT.—An Account of the Number of VESSELS, with the Amount of their TONNAGE, that were Built and Registered in the several Ports of IRELAND, in the Years ending 5th January 1828, 1829, and 1830, respectively.

—	Vessels.	Tonnage.
Year ending 5th January 1828	34	2,450
— 1829	45	2,005
— 1830	31	1,313

VESSELS REGISTERED.—An Account of the Number of VESSELS, with the Amount of their TONNAGE, and the Number of MEN and BOYS usually employed in Navigating the same, that belonged to the several Ports of IRELAND, on the 31st December 1827, 1828, and 1829, respectively.

—	Vessels.	Tons.	Men.
On the 31st December 1827	1,400	97,369	7,609
— 1828	1,405	99,449	7,778
— 1829	1,413	101,994	7,765

Office of Regr. Gen. of Shipping, Custom House,
London, 22nd March, 1830.

T. E. WILLOUGHBY.

NAVIGATION OF GREAT BRITAIN.

Vessels employed in the Foreign Trade.—An Account of the Number of Ves-
ployed in Navigating the same, (including their repeated Voyages,) that entered
to all Parts of the World, during each of the Three Years ending 5th January,
cleared Outwards, during the same Period,

SHIPPING ENTERED INWARDS IN GREAT BRITAIN,

From all Parts of the World.

Years ending 5th Jan.	BRITISH AND IRISH VESSELS.			FOREIGN VESSELS.			TOTAL.		
	Vessels.	Tons.	Men.	Vessels.	Tons.	Men.	Vessels.	Tons.	Men.
1828	20,457	2,777,388	165,548	5,820	715,824	41,508	26,277	3,493,162	207,056
1829	23,356	3,005,819	181,723	4,771	604,097	34,958	28,127	3,609,916	216,681
1830	23,536	3,096,759	186,719	5,028	682,048	37,639	28,564	3,778,807	224,358

SHIPPING CLEARED OUTWARDS FROM GREAT BRITAIN,

To all Parts of the World.

	Vessels.	Tons.	Men.	Vessels.	Tons.	Men.	Vessels.	Tons.	Men.
1828	22,049	2,828,869	171,586	5,505	732,481	39,566	27,554	3,561,350	211,152
1829	24,071	3,077,960	186,606	4,255	581,663	31,697	28,326	3,659,623	218,303
1830	25,543	3,240,205	192,364	4,942	706,089	37,103	30,485	3,946,294	229,467

NAVIGATION OF GREAT BRITAIN—*continued.*

SELS, with the Amount of their TONNAGE, and the Number of MEN and BOYS em-
Inwards and cleared Outwards at the several Ports of GREAT BRITAIN, from and
1830:—Also, showing the Number and Tonnage of Shipping entered Inwards and
exclusive of the Intercourse with Ireland.

SHIPPING ENTERED INWARDS IN GREAT BRITAIN,

From all Parts (except Ireland.)

Years ending 5th Jan.	BRITISH AND IRISH VESSELS.			FOREIGN VESSELS.			TOTAL.		
	Vessels.	Tons.	Men.	Vessels.	Tons.	Men.	Vessels.	Tons.	Men.
1828	12,461	1,972,780	112,391	5,820	715,824	41,508	18,281	2,688,604	153,899
1829	12,587	1,955,548	111,307	4,771	604,097	34,958	17,358	2,559,645	146,265
1830	12,756	2,033,853	113,849	5,028	682,048	37,639	17,784	2,715,901	151,488

SHIPPING CLEARED OUTWARDS FROM GREAT BRITAIN,

To all Parts (except Ireland.)

	Vessels.	Tons.	Men.	Vessels.	Tons.	Men.	Vessels.	Tons.	Men.
1828	10,966	1,784,776	106,602	5,505	732,481	39,566	16,471	2,517,257	146,168
1829	11,732	1,910,680	113,863	4,255	581,663	31,697	15,987	2,492,343	145,560
1830	12,065	1,954,037	113,387	4,942	706,089	37,103	17,007	2,660,126	150,490

NAVIGATION OF IRELAND.

Vessels employed in the Foreign Trade.—An Account of the Number of Vessels, with the Amount of their Tonnage, and the Number of Men and Boys employed in Navigating the same (including their repeated Voyages), that entered Inwards and cleared Outwards at the several Ports of Ireland, from and to all Parts of the World, during each of the Three Years ending 5th January 1830.

SHIPPING ENTERED INWARDS IN IRELAND,
From all Parts of the World.

Years ending 5th Jan.	BRITISH AND IRISH VESSELS.			FOREIGN VESSELS.			TOTAL.		
	Vessels.	Tons.	Men.	Vessels.	Tons.	Men.	Vessels.	Tons.	Men.
1828	11,522	1,159,646	71,913	226	36,040	2,028	11,748	1,195,686	73,941
1829	13,107	1,278,050	75,848	184	30,523	1,775	13,291	1,308,573	77,623
1830	14,781	1,442,722	86,045	190	28,255	1,703	14,971	1,470,977	87,748

SHIPPING CLEARED OUTWARDS FROM IRELAND,
To all Parts of the World.

	Vessels.	Tons.	Men.	Vessels.	Tons.	Men.	Vessels.	Tons.	Men.
1828	7,926	840,658	53,945	209	35,340	2,032	8,135	875,998	55,977
1829	9,306	1,019,222	62,418	150	26,455	1,549	9,456	1,045,677	63,967
1830	9,493	1,015,300	63,872	152	24,161	1,424	9,645	1,039,461	65,296

SHIPPING ENTERED INWARDS IN IRELAND,
From all Parts (except Great Britain.)

	Vessels.	Tons.	Men.	Vessels.	Tons.	Men.	Vessels.	Tons.	Men.
1828	672	114,118	6,289	226	36,040	2,028	898	150,158	8,317
1829	849	138,809	7,834	184	30,523	1,775	1,033	169,332	9,609
1830	903	150,681	8,336	190	28,255	1,703	1,093	178,936	10,039

SHIPPING CLEARED OUTWARDS FROM IRELAND,
To all Parts (except Great Britain.)

	Vessels.	Tons.	Men.	Vessels.	Tons.	Men.	Vessels.	Tons.	Men.
1828	515	102,906	5,783	209	35,340	2,032	724	138,246	7,815
1829	516	95,717	5,280	150	26,455	1,549	666	122,172	6,829
1830	571	109,142	5,875	152	24,161	1,424	723	133,303	7,299

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